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# Safeguarding (Including PREVENT) Child & Vulnerable Adult Policy – Number 03

Safeguarding Policy (September 2023)

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# Safeguarding (Including PREVENT) Child & Vulnerable Adult Protection Policy - 03

## 1. Policy Statement/Purpose/Introduction

- 1.1. The purpose of the Safeguarding Policy is to provide a clear set of guidelines to students, their parent/carers, staff and other workers within the College community, together with wider stakeholders, regarding how the College will discharge its safeguarding responsibilities, including with respect to the Prevent duty.
- 1.2. Please note that the term 'College' is used throughout this document and appendices, as a generic term that encompasses all organisations within the College. The term 'staff' is used throughout the policy and all appendices as a generic term that encompasses all groups of workers associated with the College in any capacity, whether paid or unpaid.

## 2. Scope of this policy

- 2.1. This policy deals with the protection of children and young people and all adults at risk. For the purposes of clarity, any person under the age of 18 is deemed to be a child, and an adult at risk is deemed to be a person who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or may be unable to take care of him or herself, or unable to protect him or herself against harm or exploitation. An adult is considered 'vulnerable' if they receive a health, personal or social care services from a professional. Personal services would include, for example, help with financial matters, feeding, washing or dressing. Any person up to the age of 24 with a current Educational Health and Care Plan in place is treated as a child for the purposes of safeguarding & child protection legislation.
- 2.2. All references to staff or adults comprises teaching staff, other staff including agency staff and volunteers working in the organisation, visitors and includes contractors to the organisation with direct contact with students, regardless of position, role or responsibilities.
- 2.3. The term 'safeguarding children, young people and adults at risk' embraces both reactive child protection and a preventative approach to keeping young people and adults safe. The statutory guidance 'Keeping Children Safe in Education 2023', Working Together to Safeguard Children 2018', 'The Care Act 2014', and the 'Safeguarding Vulnerable Groups Act 2006', are the key documents upon which this policy is predicated.
- 2.4. Safeguarding and promoting the welfare of children is defined for the purposes of this policy as: protecting children from maltreatment; preventing impairment of children's health, mental or physical development; ensuring that children grow up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best outcomes.

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## 3. Safeguarding (Including PREVENT) Child & Vulnerable Adult Protection Policy

We recognise the importance of a whole college safeguarding culture which underpins every aspect of college life.

Safeguarding looks to protect everyone from:

- Abuse and neglect as defined in Working Together Safeguard Children 2018
- the adverse impacts and disadvantages arising from any aspect of a mental health condition
- groups and individuals presenting violent extreme ideologies
- abuse or inappropriate relationships;
- grooming (in person, online, by phone, etc.);
- inappropriate supervision (by parents or staff, e.g. too much);
- bullying, cyber-bullying;
- self-harm, risky behaviour;
- unsafe activities and environments;
- crime;
- fear of crime;
- exploitation including financial, sexual and criminal exploitation (County Lines);
- immigration issues;
- unsafe environments e.g. parks, sports grounds;
- homelessness and unsuitable housing;
- victimisation and prejudice due to age, race, religion or belief, sexual orientation, gender, disability, gender reassignment, pregnancy & maternity, marriage & civil partnership
- alcohol and drug misuse;
- eating disorders;
- child on child abuse;
- initiation/hazing type violence and rituals;
- honour-based abuse (which can include Female Genital Mutilation );
- not understanding the additional safeguarding vulnerabilities of students with special education needs and disabilities (SEND) and how those barriers can be overcome;
- sexual violence and sexual harassment between children (child on child abuse)
- upskirting, (which typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification, or cause the victim humiliation, distress or alarm);
- issues arising from children with family members in prison;
- domestic abuse including physical and emotional neglect;
- issues arising from children being in the Court System;
- issues arising where children are missing from education;
- anything which causes the College to be concerned that any student or member of staff might be at risk of significant harm as a result of one or more of the above.

The College has a statutory and moral duty to ensure the safety of, and to promote the welfare of children, young people and at risk adults attending the College. The term ‘safeguarding’ embraces a holistic approach to both child protection and a preventative approach to keeping young people and adults safe. The College will carry out these responsibilities under relevant current legislation and formal guidance.

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The College recognises the links between the Teachers Standards (2011) which sets out the expectation that, *all teachers manage behaviour effectively to ensure a good and safe educational environment and requires teachers to have a clear understanding of the needs of all pupils*.

The College fully recognises its responsibilities to safeguard and promote the welfare of young people and vulnerable adults, including the responsibilities of its Governors, staff and volunteers regarding the protection of young people and vulnerable adults from abuse; and to have due regard to the need to prevent people from being drawn into radicalised behaviour which can lead to extremist views and potential acts of terrorism. To demonstrate its commitment, the College has made this explicit statement of intent:

*The College is committed to safeguarding and promoting the welfare of young people and vulnerable adults and expects all students and all staff (including agency and hourly paid staff), irrespective of anyone's position or role in the College, together with Governors, any workers who are at the College on an agency, voluntary/placement/other professional basis and any subcontractors or partners of the College, to share this commitment.*

- We believe that everyone should be safe, and feel safe; and we want everyone who attends or has contact with the College to enjoy what the College has to offer in safety
- We want to make sure that our students know this and are empowered to tell us if they have suffered, or are suffering, from any form of harm or abuse, if they feel at risk of being drawn into terrorism or extremism, or if they have concerns about any other College user in respect of these matters
- We want organisations who work with, or commission work from the College, to have confidence and recognise that we are a safe organisation
- We want all students studying with us to see themselves as a valued part of the College community and to understand how this community operates within the wider UK community, including the importance of promoting, and abiding by, the fundamental British values of:
  - Democracy: your vote and voice counts; *you can make a difference*
  - The rule of law: *laws apply to everyone*
  - Individual liberty: *you are entitled to your view and to your freedom of expression and thought, and so is everyone else*
  - Mutual respect and tolerance for those with different faiths and beliefs. We are an inclusive organisation where everyone is respected
- We will ensure that all contractors or their employees who undertake work at the College will have a Disclosure barring service (DBS) check in place. Where that work falls into the scope of regulated activity the DBS will be enhanced. In circumstances where no checks are in place, the contractor and/or employee(s) will be appropriately supervised, and will not be allowed to take part in any regulated activity. Where a contractor is self-employed the College will consider making its own DBS check (KCSiE 2023)
- The College will maintain an effective Safeguarding Policy which brings together all aspects of safeguarding and child protection, and includes the College's Prevent duty. The policy, and all appendices, will be updated at least yearly, or in line with changes in legislation and guidance, to make sure it is current and effective.

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### The College has clear objectives:

- To provide a safe environment for children, young people and adults in which to work, learn and take part in social and recreational activity
- To identify people who are experiencing, or likely to experience significant harm, providing support and taking appropriate action with the objective of producing positive outcomes for those people
- To foster, promote and maintain a genuine feeling of safety throughout the College via the curriculum, pastoral support, and appropriate working practices through the promotion of a College ethos where everyone feels secure, valued and listened to
- To take action where appropriate to safeguard the person through working in partnership with other agencies
- To educate all students and staff in safeguarding and child protection issues so that they become more aware and confident in dealing with issues relating to those matters

### The College has processes which:

- Identify children, young people and adults at risk of significant harm, or where there are concerns for a person's welfare, and provide procedures for reporting and addressing such concerns
- Prevent unsuitable people from working with children, young people and adults
- Identify procedures for reporting unsuitable people to the DBS and other relevant agencies where appropriate
- Maintain channels for reporting and dealing with all allegations of abuse
- Work in partnership with local agencies including the sharing of information
- Provide a safe environment for children, young people and adults within the College
- Appropriately filter and monitor student internet usage.
- Identify low level concerns

### The College will take action to:

- Ensure there is a named Corporation Lead who is responsible for College safeguarding arrangements, together with a named Designated Lead for Safeguarding, and a cross College safeguarding team with a named officer for Safeguarding on each College site (Deputy DSLs) (see table – page 11)
- appoint and train a Designated Safeguarding Lead with responsibilities to lead on all matters pertaining to safeguarding and child protection, and who will ensure that appropriate and robust systems are in place that will coordinate reporting, monitoring, referral and support procedures. Name, role and contact details will be available to all staff, students and parents/carers
- train all staff to Recognise, Respond, Record, Report and Refer in regard to Safeguarding procedures with training updates provided on an annual basis. Induction training that includes safeguarding procedures and Part One of Keeping Children Safe in Education September 2023. In addition to this, staff induction will include, as a minimum, the student behaviour policy, staff code of conduct and the role and identities of the Safeguarding team and will be mandatory for all new staff working in the College.
- keep accurate and secure records of concerns about individuals, even when there is no need for immediate referral to outside agencies
- provide a systematic means of monitoring children, young people and adults known, or thought to be, at risk of harm, and contribute to assessments/support plans with other agencies
- make sources of help and support accessible for anyone who may experience abuse

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- develop effective working relationships with other agencies, and in particular the Hertfordshire Safeguarding Children Partnership
- train staff in safe practices to protect children, young people and adults in the learning environment, and also to protect themselves from false allegations of abuse, including specific training to raise awareness of sexual violence and sexual harassment in college, by peers.
- ensure safe recruitment practices by implementing enhanced checks on all new and existing staff in accordance with the DBS, taking of references, and training interviewers in accordance with Department of Education guidance to effectively establish suitability for role at the time of employment
- provide effective induction, tutorial, enrichment or other curriculum, learning or pastoral support for learners. The curriculum (both formal and informal) will be used to help children, young people and adults to develop their self-esteem, assertiveness, problem-solving skills, raise awareness of risk, including sexual violence and sexual harassment from peers, and local threats to promote their resilience, confidence, self-awareness and help with behaviour challenges, such as anger, mental health and sexual violence & harassment.

### 4. Roles and Responsibilities

#### The Governing Body must:

- make arrangements for ensuring that their functions relating to the conduct of the institution are exercised with a view to safeguarding and promoting the welfare of children receiving education or training at the institution and in considering those arrangements, have regard to any guidance given from time to time by the Secretary of State
- the governing body should ensure the institution has a safeguarding policy and procedures that satisfy and evidence statutory requirements and consider safeguarding needs as set out in the Department of Education 'Keeping Children Safe in Education 2023, 'Working Together to Safeguard Children 2018,' and the Prevent Duty Guidance 2015 (updated April 2021)
- have procedures for dealing with allegations against staff/volunteers that comply with Hertfordshire multi-agency partnership procedures, balance the need to protect children whilst protecting staff/volunteers from false/unfounded accusations
- have a senior staff member to lead on Safeguarding, advise/support staff/ liaise with Local Authority and other agencies. He/she must be a member of Senior Management who has status/authority to carry out role e.g. commit resources to Safeguarding and direct staff as appropriate
- ensure all new staff who work with young people receive written guidance about the institution's Safeguarding policy/procedures and name/contact of DSL
- ensure designated staff receive inter-agency training appropriate to their role, when first appointed, and refresher training annually
- all staff receive refresher training annually, which includes specific training to raise awareness of sexual violence & sexual harassment between students
- all students receive appropriate safeguarding and Prevent education
- remedy any deficiencies or weaknesses in Safeguarding arrangements without delay
- annually review policies/procedures and how duties are discharged
- request advice if required (LAs can provide advice/support and access to training/policies/procedures, but do not have to and can charge)
- ensure a senior manager is designated as the senior lead for Prevent
- scrutinise the work of the DSL and Safeguarding Team through People Committee meetings, Safeguarding Meetings & SLT.

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- in addition, the Chair of the Board is nominated to be responsible for liaising with partner agencies, as appropriate in the event of the allegation of abuse being made against the Principal & CEO.

### The Principal & CEO should ensure through the Senior Management Team:

- policies and procedures are fully implemented and followed by all staff
- sufficient resources and time are allocated so that the DSL and staff can attend strategy discussions, interagency meetings, contribute to assessments etc
- personally make referrals to the Local Authority Designated Officer where allegations of abuse by staff are brought forward, or delegate that responsibility to the DSL where required
- staff/volunteers feel able to raise concerns about poor/unsafe practices by addressing these sensitively and effectively in a timely manner in accordance with public interest disclosure policies
- the operation of safe recruitment and checks on new staff and volunteers
- the reporting of cases to the Secretary of State. It is essential that cases are reported if a person ceases to work in an education setting and there are grounds for believing he/she may be unsuitable to work with children, or may have committed misconduct. The Secretary of State will consider whether to prohibit the person from working with children in the future or place restrictions on their employment in educational establishments. FE institutions have a statutory duty to make reports, and to provide relevant information to the Secretary of State.

### Role of the College Safeguarding Management Group

Oversight of all College safeguarding arrangements is through the College Safeguarding Management Group. This group is chaired by VP Student Experience & Progression and includes representation from the Governing Body. The group has a diverse membership and provides an effective forum for the monitoring, review and shaping of College safeguarding arrangements.

### Role of the Designated Safeguarding Lead:

- Take lead responsibility in all safeguarding matters
- Refer cases of suspected abuse or allegations to the relevant investigating agencies – this responsibility can be delegated to the Safeguarding leads at each college site.
- Act as a source of support, advice and expertise within the College when deciding whether to make a referral by liaising with relevant agencies
- Liaise with the Principal & CEO and Link Governor to inform of any issues/ongoing investigations, and ensure there is always cover for the role.
- Act as the Principal's delegate with Local Authority Designated Officer in reporting and managing cases of alleged staff abuse as appropriate and when required in liaison with the Vice Principal of HR and Organisational Development
- Train staff in how to recognise signs of abuse, including sexual violence & sexual harassment between peers, and when it is appropriate to make a referral. Training should be updated on an annual basis
- Ensure all safeguarding team members have access to appropriate supervision as required
- Working knowledge in how the local Safeguarding Multi-agency Partnership operates, the conduct of case conferences, and be able to attend and contribute to these when necessary
- Ensure all staff have access to and understand the College Safeguarding policy, and to make it available in a range of formats
- Ensure all staff have child protection/Safeguarding induction training and are able to recognise and report any concerns as they arise
- Keep detailed, accurate and secure written records of referrals/concerns

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- Have access to resources and attend relevant or refresher training courses and to update training annually
- Ensure Safeguarding policy is updated and reviewed annually, and following ratification is returned by the governing body to the Local Authority
- Ensure students/parents/carers have access to copies of the College Safeguarding Guidance, which alerts them to the fact that referrals may be made, contact details for the Safeguarding Team, and the role of the establishment
- Where a young person leaves an establishment, ensure the file/information is transferred to a new establishment in line with the Working Together to Safeguard Children Guidance.
- Provide an annual report to Board of the Corporation

### All staff

- All staff play a fundamental role in ensuring children, young people and adults are kept safe at the College through vigilance, attending training, reporting concerns and acting swiftly where there is a risk of immediate danger or harm.
- Concerns, are any worries about a particular student or colleague that need to be referred onto the Safeguarding Team, wherever there is a lack of surety or clarity about someone's safety.
- Risk of immediate danger or harm means a situation where action must be taken without delay in order to ensure adequate protection is put in place for the person at the centre of the issue. Staff are able to refer direct to Social Services or the Police in these circumstances should the need arise. The Safeguarding Team should be advised of any such action as soon as possible.

### Safeguarding Reporting Protocols for staff:

All staff are responsible for safeguarding one another and our students. Where a student makes a disclosure to a member of staff they should do the following:

- **LISTEN** carefully, stay calm; do not express shock or embarrassment
- **DO NOT** guarantee confidentiality, but be clear that you will act sensitively and explain what will happen next
- **GIVE REASSURANCE** that you are taking the information seriously
- **DO NOT** ask leading questions
- **DO NOT** examine any physical injuries
- **DO NOT** attempt to investigate the allegations yourself
- **NEVER JUDGE** – even if the allegation is against a colleague
- **RECORD** what was said, also time, date and place.
- **CONTACT** a member of the Safeguarding Team as soon as is reasonably possible

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### 5. KEY SAFEGUARDING CONTACTS

Nominated Governor for safeguarding	<b>John O’Sullivan</b> Contact via Joseph Maggs (Clerk to the Governors) <ul style="list-style-type: none"> <li>Email – <a href="mailto:Joseph.Maggs@oaklands.ac.uk">Joseph.Maggs@oaklands.ac.uk</a></li> </ul>
Senior Board Lead responsible for College safeguarding arrangements	<b>Andrew Slade</b> Principal and Chief Executive Officer Contact via Email – <a href="mailto:ellie.beckwith@oaklands.ac.uk">ellie.beckwith@oaklands.ac.uk</a>
Senior Leadership Team member with oversight of College safeguarding arrangements (Chair of the College Safeguarding Management Group)	<b>Abigail Clay</b> <ul style="list-style-type: none"> <li>Email – <a href="mailto:abi2.clay@oaklands.ac.uk">abi2.clay@oaklands.ac.uk</a></li> </ul>
Designated Lead for Safeguarding	<b>Abigail Clay</b> Interim Vice Principal Student Services <ul style="list-style-type: none"> <li>Email – <a href="mailto:abi2.clay@oaklands.ac.uk">abi2.clay@oaklands.ac.uk</a></li> </ul>
Deputy DSL	<b>Sarah Furley</b> <ul style="list-style-type: none"> <li><a href="mailto:Sarah.furley@oaklands.ac.uk">Sarah.furley@oaklands.ac.uk</a></li> </ul>
Safeguarding Officer – SAC	Harrison Brown <ul style="list-style-type: none"> <li><a href="mailto:Harrison.Brown@oaklands.ac.uk">Harrison.Brown@oaklands.ac.uk</a></li> </ul>
Safeguarding Officer - SAC	Annabel Sukhdeo <ul style="list-style-type: none"> <li><a href="mailto:Annabel.Sukhdeo@oaklands.ac.uk">Annabel.Sukhdeo@oaklands.ac.uk</a></li> </ul>
Safeguarding – SAC	Bethan Garrity <ul style="list-style-type: none"> <li><a href="mailto:Bethan.Garrity@oaklands.ac.uk">Bethan.Garrity@oaklands.ac.uk</a></li> </ul>
Safeguarding Officer – WGC	Sarah Steele <ul style="list-style-type: none"> <li><a href="mailto:Sarah.Steele@oaklands.ac.uk">Sarah.Steele@oaklands.ac.uk</a></li> </ul>
Safeguarding Officer – WGC	Telsa Gillborn <ul style="list-style-type: none"> <li><a href="mailto:Telsa.Gillborn@oaklands.ac.uk">Telsa.Gillborn@oaklands.ac.uk</a></li> </ul>
Safeguarding Officer-WGC	Tina Roberts <ul style="list-style-type: none"> <li><a href="mailto:Tina.Roberts@oaklands.ac.uk">Tina.Roberts@oaklands.ac.uk</a></li> </ul>
Safeguarding Officer-WGC	Clair Kelsey <ul style="list-style-type: none"> <li><a href="mailto:Clair.Kelsey@oaklands.ac.uk">Clair.Kelsey@oaklands.ac.uk</a></li> </ul>

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Safeguarding Officer-LIFE	Karolina Borawska <ul style="list-style-type: none"> <li><a href="mailto:Karolina.Borawska@oaklands.ac.uk">Karolina.Borawska@oaklands.ac.uk</a></li> </ul>
Cross College Lead – Students with Education and Health Care Plans and/or High Needs	<ul style="list-style-type: none"> <li>Roxanne Lowe <a href="mailto:Roxanne.lowe@oaklands.ac.uk">Roxanne.lowe@oaklands.ac.uk</a></li> </ul>

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### Early Help

Early help means providing support as soon as a problem emerges at any point in a child's life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of 'Working Together to Safeguard Children 2018' provides detailed guidance on the Early Help process. The Safeguarding Team will be responsible for identifying and implementing any Early Help measures which are required.

Any child may benefit from early help, but all college staff should be particularly alert to the potential need for early help for a child who:

- is disabled and has specific additional needs
- has special educational needs (whether or not they have a statutory education, health and care plan)
- is a young carer
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups
- is frequently missing/goes missing from care or from home
- is misusing drugs or alcohol themselves
- is at risk of modern slavery, trafficking or exploitation
- is in a family circumstance presenting challenges for the child, such as substance abuse, adult mental health problems or domestic abuse
- has returned home to their family from care
- is showing early signs of abuse and/or neglect
- is at risk of being radicalised or exploited
- is a privately fostered child.

### Contextual safeguarding & local circumstances

The College believes all students have the right to be able to access and enjoy a high quality and rich learning experience that both enhances and increases their life chances. The College serves the needs of students from a range of backgrounds including higher proportions of:

- students from socio-economically deprived areas
- High Needs SEND students
- LAC and Young Carers

The College will ensure that all staff have an effective understanding of the local context and all safeguarding training will acknowledge and reference the local context to ensure that staff are adequately prepared to manage such issues that arise from this.

### Multi-agency working

The College will ensure that it pursues robust and timely information sharing protocols with all of the agencies working with young people including schools, statutory authorities, support services and social services in line with the 'Working Together to Safeguard Children 2018' document.

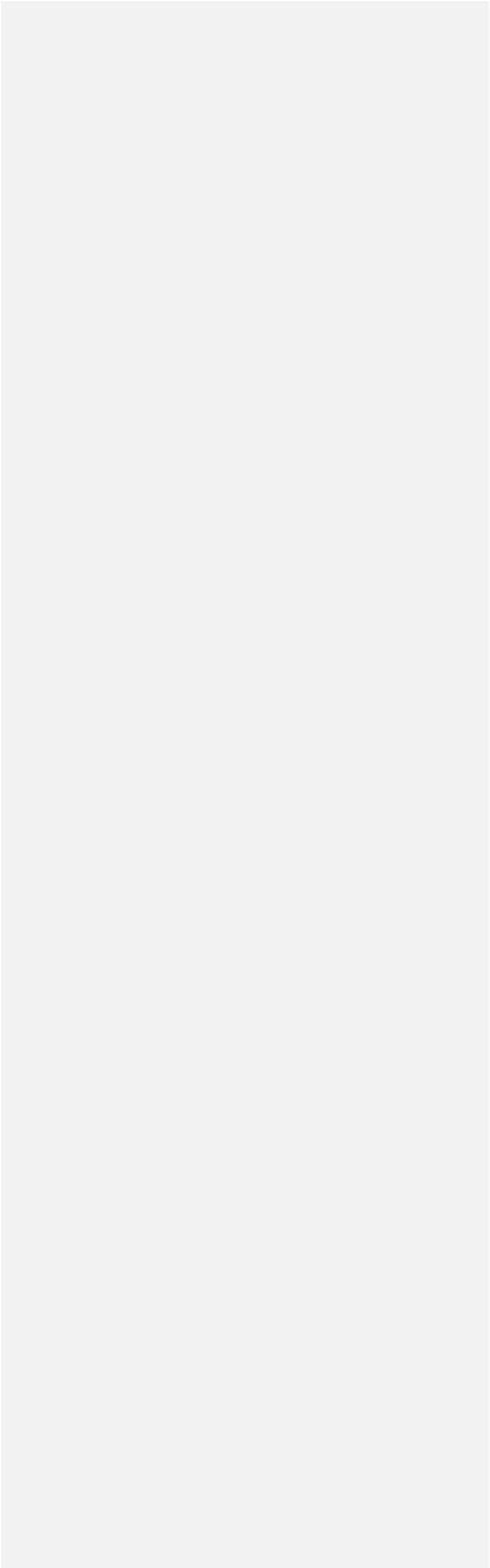
### Information Sharing

The College will work in conjunction with all relevant external agencies, and in particular the South Tees Safeguarding Children Partnership, to ensure information is passed freely where there are safeguarding concerns and information sharing protocols are well established.

All safeguarding referral protocols will reflect the guidance laid down in Part 1 of KCSiE 2023, including Prevent referrals to Channel.

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### Staff Training

All staff will receive adequate training to familiarise themselves with Safeguarding issues and responsibilities at induction (to include 'Part One of KCSiE 2023') and on at least an annual basis, including sexual violence & sexual harassment between peers. All staff will be required to read and understand Part One of KCSiE 2023.

### Safer Recruitment

The College's approach to Safer Recruitment is included in the Recruitment & Selection Policy.

### Public Interest disclosure

Staff should acknowledge their individual responsibility to bring matters of concern to the attention of senior management and/or relevant external agencies (Public Interest Disclosure Act 1998). This should be a mechanism by which staff can voice concerns, made in good faith, without fear of repercussion. Staff should refer to Appendix Q - Allegations and Whistleblowing and can also use the NSPCC whistle-blowing helpline number 0800 028 0285, if required.

### Duty of Care

Staff are accountable for the way in which they exercise authority, manage risk, use resources, and actively protect children and people from discrimination and avoidable harm. Staff should develop respectful, caring and professional relationships between themselves and all other users of the College. Staff behaviour should demonstrate integrity, maturity and good judgement, e.g. management of risk in external visits/residential visits.

### Allegations against staff

Concerns about staff may relate to current or historic behaviour and must be reported regardless of whether the alleged abuse took place in the College or another place. The College Designated Lead for Safeguarding in liaison with the Vice Principal of HR and Organisational Development must be informed of all allegations that raise concerns about child and/or vulnerable adult protection so they can consult the Local Authority Designated Officer (LADO), police and social care services as appropriate. Further details can be found in Appendix P, Allegations and whistleblowing (Safeguarding).

### Breach of Trust

Under the Sexual Offences Act 2003, it is an offence for a person over 18 to have a sexual relationship with a young person under 18 where that person is in a position of trust in respect of that young person, even if the relationship is consensual. This applies when the young person is in full time education and the person works in the same establishment as the young person, even if he/she does not teach the child.

### On-line safety

- The College will endeavour to both filter and monitor all internet usage within the College in a responsible and transparent way in order to ensure and maintain the safety of staff and students.
- Ensuring staff and students are aware of and adhere to the protocols for online working
- Ensure staff and students know how to work safely online

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## Social Media

The College recognises that the use of social media by young people has grown exponentially and that social media has become a focus for a number of issues, including cyber-bullying, sharing of nudes and semi-nudes, sharing of inappropriate images, the promotion of radical and extreme viewpoints, grooming, Child Sexual Exploitations (CSE) and Child Criminal Exploitation (CCE). All staff will be trained to be vigilant of and sensitive to this area of activity and the College will ensure that suitable IT policies are in place to address access and monitoring of social media activity.

**It is expressly forbidden for staff to either share their personal contact details with existing students, or seek to befriend/accept friend requests from existing students on any social media platform.** This includes the sharing of personal mobile telephone details, personal e-mail addresses and any personal contact information. Any member of staff found to be in breach of this will be liable to disciplinary action.

## Filtering and monitoring

The College has assigned a member of the senior leadership team (DSL) and the Safeguarding governor, to be responsible for ensuring the [Meeting digital & technology standards in schools and colleges \(DfE 2023\)](#) are met.

## Abuse and neglect

Abuse can take many forms including emotional, physical, sexual and mental. Whilst it is more common for there to be a perceived disproportionate power differential between abuser(s) and abusee(s), child on child abuse is a significant issue. It must never be tolerated or treated as 'banter' or just 'part of growing up.'

**Further advice and guidance on the range of abuse and indicators of abuse can be found in Annex B of 'Keeping Children Safe in Education 2023'. All staff are required to access Part 1 of this document and to read and understand it; all staff working directly with under 18s must also read and understand Annex B.**

## Child on child sexual violence and sexual harassment

Where any reports are made of child on child sexual violence or sexual harassment these must be dealt with seriously and quickly. The normal disclosure protocols apply. Where such an allegation is made, the DSL will conduct a thorough risk assessment that considers:

- the victim, especially their protection and support
- the alleged perpetrator; and
- all the other children (and, if appropriate, adult students and staff) at the college, especially any actions taken that are appropriate to protect them

This will be recorded and communicated to all staff that are required to know. Both victim and (alleged) perpetrator will receive appropriate support from the College and other services, on a case by case basis.

## Child Sexual Exploitation (CSE)

CSE is a form of child sexual abuse. Sexual abuse may involve physical contact, including assault by penetration (for example, rape or oral sex) or nonpenetrative acts such as masturbation, kissing, rubbing, and touching outside clothing. It may include non-contact activities,

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such as involving children in the production of sexual images, forcing children to look at sexual images or watch sexual activities, encouraging children to behave in sexually inappropriate ways or grooming a child in preparation for abuse including via the internet.

### Child Criminal Exploitation (CCE)

Given the local context and the issues surrounding County Lines, the College recognises that so called 'initiation ceremonies' and 'hazing' (defined as: any activity expected of someone joining or participating in a group that humiliates, degrades, abuses, or endangers them regardless of a person's willingness to participate) could pose a significant risk to students.

### Children with Family Members in Prison

Approximately 200,000 children in England and Wales have a parent sent to prison each year. These children are at risk of poor outcomes including poverty, stigma, isolation and poor mental health. NICCO provides information designed to support professionals working with offenders and their children, to help mitigate negative consequences for those children. Students with a family member in prison will be offered pastoral support as necessary.

[Are you a young person with a family member in prison?](#)

### Contextualised Safeguarding

All staff should be aware that safeguarding incidents and/or behaviors can be associated with factors outside the school or college and/or can occur between children outside of these environments. All staff, but especially the designated safeguarding lead (and deputies) should consider whether children are at risk of abuse or exploitation in situations outside their families. Extra-familial harms take a variety of different forms and children can be vulnerable to multiple harms including (but not limited to) sexual exploitation, criminal exploitation, and serious youth violence.

### Domestic Abuse

Domestic abuse is any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality.

The abuse can encompass, but is not limited to: psychological; physical; sexual; financial; and emotional. All children can witness and be adversely affected by domestic abuse in the context of their home life where domestic abuse occurs between family members. Exposure to domestic abuse and/or violence can have a serious, long lasting emotional and psychological impact on children. In some cases, a child may blame themselves for the abuse or may have had to leave the family home as a result.

Financial abuse is the willful use or manipulation of an individual's property, assets or monies without their informed consent or authorisation. This can include theft or fraud of monies or possessions, exploitation etc. Coercive control is an act or a pattern of acts of assaults, threats, humiliation and intimidation or other abuse that is used to harm punish or frighten their victim.

### Operation Encompass

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Operation Encompass operates in the majority of police forces across England. It helps police, schools and Colleges work together to provide emotional and practical help to children and young people.

The system ensures that when police are called to an incident of domestic abuse, where there are children and young people in the household who have experienced the domestic incident, the police will inform the key adult (usually the designated safeguarding lead) in College before the child or children arrive at College the following day. This ensures that the College has up to date relevant information about the young person's circumstances and can enable support to be given to the student according to their needs. Police forces not signed up to operation encompass will have their own arrangements in place. The College highlights that we are part of the Operation Encompass on the college website.

### Child on Child Abuse

The College will seek to minimise instances of child on child abuse (including sexual violence & sexual harassment), by ensuring that:

- Staff receive training to recognise the indicators of child on child abuse across its spectrum, including its gendered nature, and know how to refer cases and support students
- The Safeguarding team works directly with staff and students in a pro-active manner to inform awareness of child on child abuse and provide guidance and support on how to manage and address it, including the consistent challenge and management of so-called 'banter'.
- The Safeguarding Team will work closely with curriculum staff, students and parent/carers to ensure that both victims and perpetrators have access to support and guidance mechanisms
- All cases of child on child abuse will be recorded and managed through the existing referral and case management procedure.

Child on child abuse can take a range of different forms including, but not limited to:

- sexual violence and sexual harassment. Part 5 of the KCSiE 2023 guidance which sets out how colleges should respond to reports of sexual violence and sexual harassment
- physical abuse such as hitting, kicking, shaking, biting, hair pulling, or otherwise causing physical harm
- Provide opportunities through tutorials and pastoral support to develop and understand the nature and risk of child on child abuse and how to protect themselves
- Sharing of nudes and semi-nudes (also known as youth produced sexual imagery). This will be treated sensitively by the College and where disclosed or discovered the participants will be supported and guided appropriately. In the case of malicious intent being shown the Police will be informed and the College's Disciplinary Procedure invoked.
- upskirting
- initiation/hazing type violence and rituals.

Child on child abuse will be minimised through the vigilance and awareness of staff to recognise and identify where such abuse is occurring, and to act swiftly to ensure its curtailment. All disclosures will be recorded in the Child Protection Online management system (MyConcern) and reviewed by the Designated Safeguarding Lead to ensure appropriate support mechanisms are in place for both victims and perpetrators. The College has effective support mechanisms in place for students that are affected by this issue and staff must be aware of this and prepared to act accordingly.

### Female Genital Mutilation

There is a legal duty on teachers to report any instances of suspected FGM if in the course of their professional duties they:

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- are informed by a girl under 18 that an act of FGM has been carried out on her; or
- observe physical signs which appear to show that an act of FGM has been carried out on a girl under 18 and have no reason to believe that the act was necessary for the girl's physical or mental health or for purposes connected with labour or birth.

### Mental Health

The College will take a proactive approach to supporting students who declare a mental health need by offering guidance and signposting to appropriate agencies in line with safeguarding procedures and referral processes. The college has a commitment to developing resilience and positive mental wellbeing for all students through the curriculum, tutorial and enrichment programmes.

### Prevent Strategy

To ensure that the College effectively safeguards students and staff, manages risks and is able to deal appropriately with issues around radicalisation and extremism, the College will;

- Understand the nature of the threat from extremism and how this may impact directly or indirectly on the College
- Ensure that staff and students understand the nature of the local threats
- Encourage staff and students to respect and adhere to fundamental British values
- Ensure staff receive awareness training in recognising and preventing extremism and radicalisation
- Understand and manage potential risks within the College and from external influences including the display of extremist materials and the hiring of College premises
- Respond rapidly and appropriately to events in local, national or international news that may impact on the College community
- Ensure measures are in place to minimise the potential for acts of extremism within the College
- Ensure plans are in place to respond appropriately to a threat or incident within the College.
- Work with sub-contractors, employers and work placement providers to ensure they are compliant with the Prevent Duty and the College's safeguarding procedures
- Adopt effective ICT security and responsible user policies and promote these to all staff and students

## 6. Student safety at College sites

### Wearing of Identity Badges

In order to ensure that anyone accessing the College site is provided with a safe environment, it is a requirement that all staff, students and visitors visibly wear ID badges with the College lanyards provided on all College sites unless directed otherwise due to health and safety considerations.

### Students working with employers or external trainers

Where college students under the age of 18 are working with employers or external trainers, for example on apprenticeships, traineeships, work experience placements, use of visiting speakers or during college visits, the college has a responsibility to ensure safeguarding policies and procedures are in place.

- In the case of apprenticeships, traineeships or work experience placements, this will involve the assessor, work placement officer or employability team conducting an assessment of the placement which will include a check on their safeguarding policy and procedures. Placement employers will be provided with information about college safeguarding teams including contact details. Virtual Work Experience placements should

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be sourced and offered through 'reputable' organisations, e.g. Barclays Lifeskills, SpeakersforSchools, InsideSherpa, etc., with students made aware of how to report online safeguarding concerns.

- Students attending these placements will be provided with safeguarding information including how to report any concerns they have related to a placement.
- In the case of use of visiting speakers, an external speaker form needs to be completed by the organising member of staff, signed off by their manager and DSL, detailing checks completed on the visitor and oversight/supervision by a member of college staff. Where a visiting speaker or employer is introduced to the classroom 'virtually', this should be through Microsoft Teams, with a member of staff present in the room.
- In the case of college visits where an external trainer or speaker is involved, appropriate checks will be included in the visit risk assessment.

### 7. Children potentially at greater risk of harm

#### Children who need a social worker (Child in Need and Child Protection plans)

The College will work in close collaboration with local authorities to ensure that all students with a social worker are identified and use this information to ensure that decisions are made in the best interests of the students safety, welfare and educational outcomes.

#### Children in the care of the Local Authority ,Care leavers (Care Experienced Children)

The College will work in close collaboration with the Virtual School Heads and Children's Social Services to ensure all Looked After Children (and previously LAC) are identified and offered appropriate support mechanisms.

The college will ensure that responsibilities in terms of private fostering are met in full.

Private fostering is an arrangement made between the parent and the private foster carer, who then becomes responsible for the young person in such a way as to safeguard and promote his/her welfare. A privately fostered child means a child under the age of 16 (or 18 if they are disabled) who is cared for and provided with accommodation by someone other than a parent, a closet person who is not a parent but has parental responsibilities, a close relative, a Local Authority for more than 28 days and where the care is intended to continue. It is a statutory duty for us at the College to inform the Local Authority Children's Services where we are made aware of a young person who may be subject to a private fostering arrangement.

The Designated Person for Children in the care of the Local Authority and care leavers, is Dulcie Hiscott.

#### Children Missing From Education

Where students under the age of 18 are displaying erratic, long-term or regular absences, or other unusual attendance patterns, the College will ensure that staff follow up with parent/carers to ensure a full understanding of the underlying absence reasons is gained and recorded where appropriate.

Curriculum Teams must maintain contact with students. Generally, a period of 3 to 4 normal timetabled days without contact with an individual student would be deemed as a concern.

In cases where a safeguarding concern is known or suspected, the Safeguarding Team will undertake the appropriate referrals to relevant external agencies. All such cases will be recorded and monitored using the existing referral and case management procedure.

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### Use of Reasonable Force by staff on students:

KCSIÉ 2023 states that there are circumstances when it is appropriate for staff to use reasonable force to safeguard students. The term 'reasonable force' covers the broad range of actions used by staff, that involve a degree of physical contact to control or restrain.

This can range from guiding a student to safety by the arm, to more extreme circumstances such as breaking up a fight or where a young person needs to be restrained to prevent violence or injury. 'Reasonable' in these circumstances means 'using no more force than is needed'.

The use of force may involve either passive physical contact, such as standing between pupils or blocking a pupil's path, or active physical contact such as leading a pupil by the arm out of the classroom.

The College has a relevant policy; Learning for Independence and Future Employment (L.I.F.E) Restrictive Physical Intervention Policy

### 8. Relevant Statutory Legislation and Guidance

The College will ensure that all staff and students are aware of and adhere to the relevant legislation and guidance both statutory and non-binding that attaches to all aspects of the Safeguarding agenda.

- [Keeping Children Safe in Education 2023](#)
- [Inspecting Safeguarding in Early Years, Education and Skills Setting](#)
- National Minimum Standards (Ofsted Residential Standards)
- Social Care Common Inspection Framework (SCCIF) Residential Provision of Further Education Colleges (Ofsted) SCCIF
- Assurance Visits Guidance for Colleges and Residential Provision for FE Colleges, September 2020(Ofsted)
- Counter Terrorism and Security Act (Prevent Legislation) 2015
- Education Act 1986, 2002
- Education and Training (Welfare of Children) Act 2021
- What to do if you are worried a Child is being Abused (2015)
- Guidance for Safer Working Practice 2019
- Working Together to Safeguard Children 2018 WTTSC
- Sexual Violence and Sexual Harassment between Children and Schools and Colleges 2018 SV and SH 2021
- Female Genital Mutilation, FGM (2003) as amended by the Serious Crime Act 2015
- Sharing Nudes and Semi-nudes - Advice for Education Settings working with Children and Young People (DfE 2020)
- When to Call the Police, National Police Chiefs' Council When to call the Police
- The Children Act 1989
- The Children Act 2004
- Care Act 2014
- Equality Act 2010
- Human Rights Act 1998

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- Modern Slavery Act 2015
- Mental Capacity Act 2005
- Disqualification under the Childcare Act 2006 (2015)
- Recruit Teachers from Overseas, (DfE 2021)
- Safeguarding Children and Adults Board Safeguarding Procedures
- Managing Concerns around People in a Position of Trust (Lancashire, 2019)
- Information Sharing Advice for Practitioners providing Safeguarding Services to Children, Young People, Parents and Carers (2018)
- Individual Local Safeguarding Arrangements Guidance (previously LSCB/LSAB) – guidance from the relevant Local Authority in each case, dependent on the locality of the safeguarding concern

**Review** – This policy statement will be reviewed annually or sooner, in response to changes in legislation or College organisation. This will be initiated by the DSL.

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## APPENDIX 1

### Child and Vulnerable Adult Protection

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to learners, their parent/carers; and staff and other workers within the College community; together with wider stakeholders regarding how the College will respond to Child and adult protection issues, including risks due to radicalisation and extremism.

#### 2. Definitions

The key terms in this document are defined as:

- **Young people/Children:** Those under the age of eighteen
- **Vulnerable Adults:** For the purpose of safeguarding, and the College duty of care, a vulnerable adult is defined as any adult considered to be at risk
- **Radicalisation:** The process by which a person comes to support terrorism and forms of extremism
- **Extremism:** Vocal or active opposition to the fundamental British values of democracy, the rule of law, individual liberty and mutual respect and tolerance of different faiths and beliefs
- **Child & Vulnerable Adult Protection:** A central part of safeguarding. It is the process of protecting specific young people or vulnerable adults identified as suffering, or at risk of suffering, significant harm as a result of abuse or neglect
- **Significant Harm:** The Young Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life. The local authority has a duty to make enquiries or cause enquiries to be made if a young person or vulnerable adult is judged to be at risk of suffering significant harm
- **Duty of Care:** The duty which rests upon an individual or organisation to ensure that all reasonable steps are taken to ensure the safety of a young person or vulnerable adult involved in any activity or interaction for which that individual or organisation is responsible. Any person in charge of, or working with young people or vulnerable adults in any capacity is considered both legally and morally, to owe them a duty of care

#### 3. Who is responsible for Safeguarding and protecting Young people and Vulnerable Adults from abuse?

- Both are everyone's responsibility and it is essential you understand your role
- ***We all have a Duty of Care***

#### 4. What is abuse?

- A form of maltreatment of a young person or vulnerable adult, somebody may abuse by inflicting harm or by failing to act to prevent harm. Young people and vulnerable adults may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others.
- Young people and vulnerable adults can be abused by children
- Abuse can take place wholly online, or technology may be used to arrange offline abuse. This can be from adults or by another child

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5. **Definitions of abuse** – All staff should be aware that abuse, neglect and safeguarding issues are rarely stand-alone events that can be covered with definitions below. In most cases, multiple issues will overlap with one another.

- **Physical Abuse:** May include hitting, shaking, throwing, poisoning, burning, scalding, suffocating or otherwise causing physical harm. Physical harm can also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a young person or vulnerable adult
- **Emotional Abuse:** the persistent emotional maltreatment of a young person or vulnerable adult such as to cause severe and adverse effects on their emotional development. It may involve conveying to a them that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may include not giving the young person opportunities to express their views, deliberately silencing them or ‘making fun’ of what they say or how they communicate. It may feature age or developmentally inappropriate expectations being imposed on young people or vulnerable ad. These may include interactions that are beyond their developmental capability as well as overprotection and limitation of exploration and learning, or preventing the young person from participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing them to frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, although it may occur alone.
- **Sexual Abuse:** involves forcing or enticing a young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the young person is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving young people in looking at, or in the production of, sexual images, watching sexual activities, encouraging young people to behave in sexually inappropriate ways, or grooming a young person in preparation for abuse. Sexual abuse can take place online, and technology can be used to facilitate offline abuse. Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children. The sexual abuse of young people by other young people (also known as child on child abuse) is a specific safeguarding issue in education, more details are available in Appendix D of this policy.

**Neglect:** the persistent failure to meet a young person’s basic physical and/or psychological needs, likely to result in the serious impairment of the young person’s health or development. Neglect may occur during pregnancy, for example, as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to: provide adequate food, clothing and shelter (including exclusion from home or abandonment); protect a young person from physical and emotional harm or danger; ensure adequate supervision (including the use of inadequate care-givers); or ensure access to appropriate medical care or treatment. It may also include neglect of, or unresponsiveness to, a young person’s basic emotional needs.

**Child Sexual Exploitation (CSE) and Child Criminal Exploitation (CCE):** Both CSE and CCE are forms of abuse and both occur where an individual or group takes advantage of an imbalance in power to coerce, manipulate or deceive a child into sexual or criminal activity. Whilst the age of the child may be a contributing factor for an imbalance of power, there are a range of other factors that could make a child more vulnerable to exploitation

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including gender, sexual identity, cognitive ability, learning difficulties, communication ability, physical strength, status, and access to economic or other resources. In some cases, the abuse will be in exchange for something the victim needs or wants and/or will be to the financial benefit or other advantage (such as increased status) of the perpetrator or facilitator. The abuse can be perpetrated by individuals or groups, males or females, and children or adults. The abuse can be a one-off occurrence or a series of incidents over time, and range from opportunistic to complex organised abuse. It can involve force and/or enticement-based methods of compliance and may, or may not, be accompanied by violence or threats of violence. Victims can be exploited even when activity appears consensual and it should be noted exploitation as well as being physical can be facilitated and/or take place online.

**Child on Child abuse:** Further Information on Child on Child Abuse can be found within Appendix D, Child on Child Abuse including cyber bullying, sexting, sexual violence, up-skirting and sexual violence & sexual harassment.

**Any one, or a combination, of the following may be involved and multiple issues may overlap.** Further information on each is available by following the web links in the DfE September 2022 guidance: Keeping children safe in education; statutory guidance for schools and colleges. This document is available on the Internet or SharePoint on the home page of the College Safeguarding (including Prevent) site:

- o Private fostering
- o Bullying including cyberbullying
- o Drug Taking
- o Alcohol Abuse
- o Deliberately Missing Education
- o Sharing of nudes & semi-nudes (Sexting, also known as 'youth produced sexual imagery')
- o Trafficking
- o Child on Child abuse
- o Sexual violence & sexual harassment
- o Gangs and youth violence, including county lines
- o Child sexual exploitation & child criminal exploitation
- o Children & adults who go missing from education/home/care
- o Home risk factors (e.g. domestic & relationship violence/drugs/mental health)
- o Female genital mutilation
- o Forced marriage/gender based violence
- o Hate/faith abuse/radicalisation/extremism

**Further guidance** on the above is available, and must be followed, in other appendices of the Safeguarding Policy.

### 6. Is it abuse?

Abuse is not always obvious, so it is very important to be vigilant and share concerns and information (taking into account the requirements to do so confidentially and appropriately). Further information on recognising abuse and safe information sharing is available in the following HM Government March 2015 guidance:

- *What to do if you are worried a child is being abused;* advice for practitioners
- *Information sharing;* advice for practitioners providing safeguarding services to children, young people, parents and carers

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These documents are available on the Internet or the staff SharePoint on the home page of the College Safeguarding (including Prevent) site.

All concerns, including those which perhaps seem minor (such as noting a learner was behaving out of character) should be referred to the Personal Tutor and/or Learning Mentor. This enables a good record to be maintained of what can seem like minor issues when looked at in isolation. The Personal Tutor will action as required. This may include:

- Organising a one to one tutorial with the learner and recording this in Pro-Monitor
- Contacting the learner's parents (with consent and depending on the circumstances)
- Referring the learner to internal services such as the Safeguarding Team
- Noting the issue in Pro-Monitor for future reference

If the Personal Tutor is unsure of what action to take they will discuss with an appropriate colleague or manager. If still unsure (or it becomes apparent that the matter is a safeguarding issue) the matter should be immediately referred, via the ILP or phone, to the Safeguarding Team

The Safeguarding Team will consider whether the learner has additional needs that would benefit from a referral to external agencies via an early help assessment or whether there is a more significant cause for concern that meets the threshold for a referral to children's or adult's social care services or early help services.

### 7. Significant causes for concern

A significant concern is where there has been, or is, a likelihood of harm (ill treatment or impairment of health) that will have a significant effect on development (physical, intellectual, emotional, social or behavioural) or health (mental & physical).

There are no absolute criteria for judging what significant effect means. It could depend on the:

- Degree and extent of physical harm
- Duration and frequency of emotional abuse and neglect
- Impact on health and development
- Specific needs such as a disability
- Wider and environmental family context
- Capacity of parents/carers to meet needs

If you have a significant concern, or you are unsure but think it may be significant, it must be reported immediately to a Designated Person, following the lines of referral outlined in section 6 above. Do not think of the consequences on others (e.g. parents or another member of staff) of reporting; the focus must always be solely on the best interests of the young person or vulnerable adult.

A significant concern can arise because a learner discloses about abuse, information is received from someone else (e.g. another learner) or there are signs and symptoms that indicate abuse either may already have taken place, or may happen in the future. A significant concern can also arise due to an additional piece of information being added to previous concerns.

### 8. Disclosure (including allegations)

A disclosure may occur through classroom activities or may be made directly to you as a member of staff or volunteer. If a young person or vulnerable adult tells you that s/he has been or is

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experiencing any form of abuse or his/her explanation of a physical injury is that a parent, guardian or other person has caused it, this is an **allegation**. If this happens:

- Remain calm, listen carefully, give the person plenty of time to talk and allow the person to speak without interruption
- Never make suggestions or lead the person in any way. This is very important as asking what could be seen to be leading questions could seriously weaken a case if it went to court. Leave this to those who will conduct the subsequent investigation (e.g. the police)
- Be honest and explain that you are unable to keep the information they have told you a secret and that you will have to involve other people, but reassure them that they have done the right thing by disclosing to you, that only people who need to know will be told, and that the situation will be dealt with sensitively
- Contact a Designated Person immediately, following the lines of referral outlined in section 6 above, or if you do not think it is advisable to leave the learner on their own ask another member of staff to contact them for you
- If a Designated Person is not immediately available refer the concern to the campus duty manager.
- If physical injury has occurred also **ask for a first aider immediately** and in cases of imminent threat, e.g. a physical attack on College premises, **ask for Facilities to assist in ensuring immediate safety.**
- Write down what you were told or saw as soon as possible afterwards. Record the date and the precise time of day s/he told you and the date and precise time you wrote it down; using the students ILP.
- If you become aware of a Safeguarding concern outside of College opening hours, take all reasonable steps yourself to protect a young person or vulnerable adult from an immediate threat (e.g. contact Social Services/the Emergency Duty Team or the Police for advice) on the numbers below:

Herts Childrens Services 0300 123 4043

Whoever is the Duty Manager in the evening (until 9pm). This would have been communicated from the executive team via email to all staff in the morning. Call the main college number 01727 737000 if you are unsure. There is no duty manager between the hours of 9pm and 8.30am.

- You must follow a verbal referral to social services or the Police with a written referral form and then ring again to ensure the referral form has been received. The referral form is available on request from the Children’s Hub or Adult Services. It is also available on the staff gateway on the home page of the College Safeguarding (including Prevent) site
- **DO NOT** contact parents, guardians or any other person (e.g. friends of the young person or vulnerable adult). This is very important to prevent the potential for warning people who may be involved in the allegations, or who may take action if aware an allegation has been made (e.g. further abuse or making immediate arrangements for a young person or adult to leave the country for a forced marriage or to join an extremist organisation)
- Note; it can be very distressing to hear, what can be, very graphic details about abuse. Everyone is different and individual members of staff will be affected in different ways. Make sure you access support, when and as often as you need it, from HR. You must not share confidential information with those who do not have a need, or right, to know sensitive information.

### 9. Designated Person

On notification of a safeguarding concern the Designated Person will:

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Commented [SF1]: This would be campus duty manager

Commented [SF2]: Will be ProMonitor

Commented [SF3]: This needs adding

Commented [SF4]: Need to get details from HR

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- Check for any existing records relevant to the individual or situation
- Determine the priority/level/immediacy of risk (could include factors relating to the person concerned, other young people in the setting and any carers involved) utilising the thresholds set by the Local Safeguarding Young people Board where a young person is involved
- Arrange for emergency first aid (if required) only. Any other medical intervention/ checks will be arranged by the Social Care Service and/or the Police

Act within the guidance provided within [Information Sharing – Advice for practitioners providing safeguarding services to children, young people, parents and carers July 2018](#)

If the Designated Person decides a referral to the Adult or Children’s Social Care Service, or to the Channel service is required they will:

- Ask the view of the young person or vulnerable adult concerned if they can understand the significance and consequences of making a referral, however whilst their view should be respected and considered, it remains the responsibility of the Designated Person to take whatever action is required to ensure the safety of the child/vulnerable adult involved and others who may be at risk. **The protection of the young person or vulnerable adult must always be the most important consideration**
- Where practicable (and appropriate for a vulnerable adult) discuss concerns with the family/carers and seek agreement for a referral **unless** this may, either by delay or the behavioural response it might prompt, place the young person or vulnerable adult at risk of significant harm or compromise the safety of another person
- Collate the details required for a referral as comprehensively as possible (including full address, date of birth, whether there are other children, young people or vulnerable adults in the setting, any special needs and other professionals involved) and document whether consent for referral was obtained from the person and their family/carers, or if not the reason for this decision
- Refer to Social Care Services or Channel (see Appendix G - Prevent) in a timely way (reflecting the level of perceived risk but always within the working day) recording the name of the person referred to and the time of the call
- Refer to the Social Care Services emergency duty team if out of hours
- Confirm the referral to Social Care Services in writing as soon as possible
- Keep a written record of all discussions with the child/vulnerable adult and their parents/carers, discussions with others with the College, information provided to Social Care, their advice and any decisions taken (timed, dated and signed)
- Store the records in the appropriate secure location
- Inform the Designated Lead for Safeguarding
- Clarify with social services or the Police whether the referral has been accepted for action
- If the referral is accepted for action, comply with requests from the Social Care Services or the Police for further involvement (e.g. strategy and case conference meetings or other contributions to child protection plans)
- If the referral is not accepted, clarify the reasons why not, and if you still consider that the person (or others) are at risk consult as appropriate (e.g. with College Designated Lead for Safeguarding) regarding the next steps
- If you consider that the matter can be dealt with by College services or those of another agency (excluding the Social Care services) follow the steps outlined below

If a referral to the Social Care Service is not required or not accepted for action:

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- If referral to external services is not accepted, ask Social Care to check the Early Help Assessment (EHA) database to see whether there is a current EHA open. If not refer to the service following the protocols [Families First \(hertfordshire.gov.uk\)](https://www.hertfordshire.gov.uk/families-first)
- Consent for referral to external agencies **must be obtained** from the child/vulnerable adult and/or their parent or guardian for an EHA

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## APPENDIX 2

### Children and Adults Absent from Education

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take if a young person stops attending College during their course without a legitimate reason; or a vulnerable adult goes missing and the circumstances give cause for concern.

#### 2. Definitions

The key terms in this document are defined as:

- **Child:** Those under the age of eighteen
- **Vulnerable Adults:** For the purpose of safeguarding, and the College duty of care, a vulnerable adult is defined as any adult considered to be at risk
- **Education and Health Care Plan (EHCP):** From September 2014 EHCPs began to replace Statements of special educational needs and Learning Difficulty Assessments from those under the age of 25. An EHCP outlines information about the person including how they communicate, what support they need and what they would like to achieve
- **CME:** Child missing education

Commented [SF5]: Do we need to explain the change from statement?

#### 3. Relevant external guidance

[Department for Education \(DfE; September 2016\)](#) and Keeping Children Safe in Education 2023.

Children going missing education (CME), particularly repeatedly, can act as a vital sign of a range of safeguarding responsibilities.

This may include being victims of abuse and neglect, sexual abuse including exploitation or radicalisation, or it may be a sign of child criminal exploitation including involvement in county lines. It may indicate mental health problems, risk of substance abuse, risk of travelling to conflict zones, risk of female genital mutilation, so called 'honour' based abuse or risk of forced marriage. Children who are missing from education are also at risk of becoming NEET and experiencing reduced life chances, including mental and physical health difficulties in later life.

The College is committed to the protection of the most vulnerable, and all staff must ensure action is taken when a learner's attendance record is poor and urgent action must be taken if a learner under the age of 18 or a learner under the age of 25 who is in receipt of an EHCP stops attending College during their course without a legitimate reason. Action must also be taken if a vulnerable adult goes missing and the circumstances give cause for concern.

The risks are significantly higher for children who go missing on repeat occasions and all staff must act to help identify the risk of abuse and neglect, including sexual exploitation, and to help prevent the risks of learners going missing in the future.

#### 4. Legitimate reasons for non-attendance

For the purpose of this guidance legitimate reasons include:

- Authorised absences where there are no reasons to suspect abuse or neglect may be a contributory factor; and the parent/carer and any professionals/schools involved with the learner are fully aware of the absence

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- Withdrawals due to:
  - Progression to employment; or alternative education or training provision
  - Moving out of the area or ill health where there are no reasons to suspect abuse or neglect may be a contributory factor; and the parent/carer and any professionals/schools involved with the learner are fully aware of the withdrawal
  - Stage 3 & 4 behaviour management issues; although note the Safeguarding Team must be informed for a learner under the age of 18 so they can alert SfYP (Services for Young People) and other agencies as appropriate. The Head of ALS must also be informed (and involved) for a learner under the age of 25 who is in receipt of an EHCP and/or in receipt of high needs funding so they can liaise with the local authority. The Designated Teacher must be involved for all cases involving Children with Care Experience.
  - The outcome of a safeguarding risk assessment panel
  - A custodial sentence where the College does not reasonably believe the learner will return to College at the end of the sentence

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### 5. Actions to be taken in response to non-legitimate absences

- All curriculum staff must monitor attendance and address it at the earliest opportunity with the learner, and their parent/carer or any professionals/schools involved, if it starts to decline
- Ongoing concerns about a learner's attendance must be referred by curriculum staff to the Curriculum Team Manager/Leader.
- Curriculum Team Managers/Leaders must ensure significant concerns (e.g. unable to contact a learner who is under the age of 18) are referred to the Safeguarding Team
- The Safeguarding Team will use all reasonable means to contact a learner under the age of 18, and their parent carer or any professional/s involved, to determine the reason/s behind the lack of attendance and agree a plan of action to improve the learner's attendance or to get a child missing education (CME) back into education. Means of contact will include home visits where appropriate or where other methods have failed
- The Safeguarding Team will alert Services for Young People (or the appropriate organisation in other local authorities) if they are unable to make contact and will also immediately refer any information that indicates the child is at significant risk of abuse or neglect to a Designated Person for safeguarding following the referral routes outlined in the making a referral appendix to the Safeguarding Policy
- Significant concerns about vulnerable adults should be referred to a Designated Person for safeguarding. An urgent referral is required if there is any suspicion the absence is connected to radicalisation or terrorism (also see Appendix G on Prevent)

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Commented [AC9]: correct name?

Commented [SF10R9]: No, Just Safeguarding Team-need to add via ILP

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## APPENDIX 3

### So-called ‘Honour’ Based Abuse Including Female Genital Mutilation and Forced Marriage

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take if they become aware that so-called ‘honour’ based abuse is taking place or female genital mutilation has been performed, or is planned to be performed, on a female, or if some-one is at risk of forced marriage.

#### 2. Definitions

The key terms in this document are defined as:

- **Child:** Those under the age of eighteen.
- **So-called ‘Honour’ Based Abuse:** (HBA) encompasses incidents or crimes, which have been committed to protect or defend the honour of the family ‘izzat’ and/or the community, including forced marriage, and practices such as breast ironing and Female genital mutilation.
- **Female Genital Mutilation (FGM):** Comprises all procedures involving partial or total removal of the external female genitalia or other injury to the female genital organs. It is illegal in the UK and is a form of child abuse, for those aged under 18, with long-lasting harmful consequences.
- **Forced Marriage:** Forcing a person into a marriage is a crime in England and Wales. A forced marriage is one entered into without the full and free consent of one or both parties and where violence, threats or any other form of coercion is used to cause a person to enter into a marriage. Threats can be physical or emotional or psychological. A lack of full and free consent can be where a person does not consent or where they cannot consent (if they have learning disabilities, for example). Nevertheless, some perpetrators use perceived cultural practices as a way to coerce a person into marriage

All forms of HBA are abuse (regardless of the motivation) and must be handled and escalated as such.

#### 3. Relevant external guidance – Female Genital Mutilation

Department for Education (DfE) September 2023: Keeping children safe in education; statutory guidance for schools and colleges outlines the **statutory duty on teachers, introduced in October 2015, under Section 5B of the Female Genital Mutilation Act 2003 (as inserted by section 74 of the Serious Crime Act 2015) to report to the police** where they discover (either through disclosure by the victim or visual evidence) that FGM appears to have been carried out on a girl under 18. The guidance also outlines that those teachers failing to report such cases will face disciplinary sanctions.

#### 4. Actions to be taken in response to FGM

- All staff must maintain an attitude of ‘it could happen here’ and be vigilant. Staff must respond immediately if there is any indication that HBA is taking place or FGM has been performed on any female, or if it appears that there is a risk of FGM being planned. This includes learners, staff, volunteers, learners on placements and any other female in the College or wider community.
- Curriculum delivery staff (e.g. teachers and lecturers) must report the information they have become aware of directly to the Police if the female is under 18. Unless the teacher/lecturer has a good reason not to, they should then report the case to social services and discuss the

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case with the College DSL/DDSL or one of the Safeguarding Team in their absence, following the referral routes as outlined in making a referral appendix to the Safeguarding Policy.

- Teachers/lecturers must report information of FGM on a female aged 18+ to the College Designated Lead for Safeguarding or one of the Deputy Designated Persons in their absence, following the referral routes as outlined in making a referral appendix to the Safeguarding Policy.
- All other staff should report information of FGM to the College Designated Lead for Safeguarding or one of the Deputy Designated Persons in their absence following the referral routes as outlined in making a referral appendix to the Safeguarding Policy.
- Note; staff **must not** perform examinations of any kind on the female/s concerned.
- The following is a useful summary of the FGM mandatory reporting duty: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/496415/6\\_1639\\_HO\\_SP\\_FGM\\_mandatory\\_reporting\\_Fact\\_sheet\\_Web.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/496415/6_1639_HO_SP_FGM_mandatory_reporting_Fact_sheet_Web.pdf)

### 5. Actions to be taken in response to HBA

**Forced marriage** – Colleges can play an important role in safeguarding children from forced marriage. Teachers/lecturers should report information to the College Designated Lead for Safeguarding or one of the Deputy Designated Persons in their absence, following the referral routes as outlined in making a referral appendix to the Safeguarding Policy.

#### Potential Indicators

- Absence and persistent absence.
- Request for extended leave of absence and failure to return from visits to country of origin.
- Fear about forthcoming school holidays
- Surveillance by siblings or cousins at college.
- Decline in behaviour, engagement, performance or punctuality.
- Poor exam results.
- Being withdrawn from college by those with parental responsibility.
- Removal from a day centre of a person with a physical or learning disability
- Not allowed to attend extra-curricular activities
- Sudden announcement of engagement to a stranger
- Prevented from going on to higher education

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## APPENDIX 4

### Child on child Abuse (including bullying, cyber-bullying, sexting (sharing nudes & semi-nudes), up skirting, sexual violence, and sexual harassment)

#### 1. Purpose and content

Child on child abuse is most likely to include, but may not be limited to, bullying, including cyber bullying, prejudice-based bullying and discriminatory bullying, abuse in intimate personal relationships between peers, physical abuse, sexual violence, sexual harassment, causing someone to engage in sexual activity without consent, consensual and non-consensual sharing of nudes and semi-nudes images and/or videos, upskirting, initiation / hazing rituals.

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take if they become aware that a learner is at risk of abuse from peers including through bullying, cyber-bullying and sexting.

The College adopts a zero-tolerance approach to any form of acceptance of sexual violence & sexual harassment alongside all forms of child on child abuse. We do, however, promote dialogue of all issues relating to safeguarding and in particular, sexual harassment and sexual violence, in order to provide a safe environment where children feel able to disclose concerns.

We accept and recognise that sexual violence and sexual harassment may be happening within our College. We are committed to ensuring the college is a safe place and awareness of these issues are raised overtly with learners and staff to ensure understanding and processes for alerting staff. All allegations of harm are taken seriously.

Child on child abuse should be addressed as a child or vulnerable adult protection concern when there is reasonable cause to suspect that a child or vulnerable adult is suffering, or is likely to suffer, significant harm. Child on child abuse involving those under the age of 18 must always be referred to a Designated Person. Staff to be aware that some groups are potentially more at risk. Evidence shows girls and children and young people with SEND and/ or who are LGBT+ children are at greater risk.

#### 2. Definitions

The key terms in this document are defined as:

- **Child:** Those under the age of eighteen
- **Vulnerable Adult:** For the purpose of safeguarding, and the College duty of care, a vulnerable adult is defined as any adult considered to be at risk (see appendix A)
- **Education and Health Care Plan (EHCP):** From September 2014 EHCPs began to replace Statements of special educational needs and Learning Difficulty Assessments from those under the age of 25. An EHCP outlines information about the person including how they communicate, what support they need and what they would like to achieve
- **Bullying:** Behaviour by an individual or group, repeated over time, that intentionally hurts another individual or group either physically or emotionally. This includes any repeated words or actions, which are aimed at causing someone to feel frightened, miserable and helpless. Bullying can take many forms, including:
  - Verbal: e.g. name calling, sarcasm, threatening & teasing

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- Physical: e.g. pushing, hitting, kicking, punching or any use of physical aggressive contact
- Social: e.g. ignoring, spreading rumours or treating someone like an outsider
- Psychological: e.g. stalking & intimidation
- Bullying: (including cyber-bullying) can be involved in any type of abuse and is often motivated by prejudice or ignorance due to actual or perceived differences between people or groups or people. People who are lesbian, gay, bisexual or transgender (LGBT), those from minority ethnic groups, or those with disabilities and/or learning difficulties can be more vulnerable to this form of abuse and the College takes it duty to protect more vulnerable learners very seriously.

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- **Cyber-bullying:** ‘Virtual’ bullying using technology (e.g. chat rooms, instant messaging, email & mobile phone) which can occur in or outside College. Cyber-bullying can happen at all times of the day, with a potentially bigger audience, as people can forward on content very quickly and easily. See Appendix E, online safety.
- **Harmful Sexual Behaviour:** Refers to sexual behaviours expressed by children and young people that are developmentally inappropriate, may be harmful towards self or others or abusive towards another child, young person or adult. Staff should be aware that harmful sexual behaviour maybe an indicator that the child has been abused. An age or developmental difference should be an indicator of particular concern where behaviour is potentially harmful. Any child or young person who exhibits harmful sexual behaviour may need a safeguarding response and must always be referred to the DSL.
- **Sexting (sharing nudes or semi-nudes):** Whilst professionals refer to the issue as ‘sexting’ there is no clear definition. Many professionals consider sexting to be sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet but learners may be more likely to interpret sexting as writing and sharing explicit messages with people they know. Creating, possessing and sharing sexual photos and videos of under-18s, including selfies, is illegal. See Appendix E, online safety
- **Harassment:** Any conduct which is unwanted by a learner, which affects the dignity of the learner or group of learners in the College. Harassment may be repetitive or an isolated occurrence against one or more learners
- **Up skirting:** Up skirting typically involves taking a picture under a person’s clothing without them knowing, with the intention of viewing their genitals or buttocks to obtain sexual gratification or cause the victim humiliation, distress or alarm. Since April 2019 Up skirting has been a criminal offence - Under the Voyeurism Act, up skirting offenders can now be arrested, face up to 2 years in prison and have their name placed on the sex offenders register if caught up skirting. This includes instances where perpetrators say the images were taken just for a laugh.
- **Initiation and / hazing type violence and rituals:**  
This could include activities involving harassment, abuse or humiliation used as a way of initiating a person into a group and may also include an online element.
- **Sexual Harassment:** Sexual harassment means ‘unwanted conduct of a sexual nature’ that can occur online and offline, inside and outside of College. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include;
  - Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;

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- Sexual “jokes” or taunting;
- Physical behaviour, such as: deliberately brushing against someone, interfering with someone’s clothes (schools and colleges should be considering when any of this crosses a line into sexual violence - it is important to talk to and consider the experience of the victim) and displaying pictures, photos or drawings of a sexual nature; and
- Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
  - Consensual and non-consensual sharing of nudes and semi-nude images and videos. (UKCCIS sexting advice provides detailed advice for schools and colleges);
  - Sharing of explicit consent
  - Upskirting
  - Sexualised on line bullying
  - Sexual exploitation; coercion and threats
  - Unwanted sexual comments and messages, including, on social media; and Sexual exploitation; coercion and threats.
- **Sexual Violence:** Under the Sexual Offences Act 2003 sexual violence is describes as;
  - **Rape:** A person (A) commits an offence of rape if: he intentionally penetrates the vagina, anus or mouth of another person (B) with his penis, B does not consent to the penetration and A does not reasonably believe that B consents.
  - **Assault by Penetration:** A person (A) commits an offence if: s/he intentionally penetrates the vagina or anus of another person (B) with a part of her/his body or anything else, the penetration is sexual, B does not consent to the penetration and A does not reasonably believe that B consents.
  - **Sexual Assault:** A person (A) commits an offence of sexual assault if: s/he intentionally touches another person (B), the touching is sexual, B does not consent to the touching and A does not reasonably believe that B consents. This includes outside of clothing.
  - **Causing someone to engage in sexual activity without consent**  
A person (A) commits an offence if: she / he intentionally causes another person (B) to engage in an activity, the activity is sexual, (B) does not consent to engaging in the activity, and (A) does not reasonably believe that (B) consents. (This could include forcing someone to strip, touch themselves sexually, or to engage in sexual activity with a third party.)

### What is consent?

Consent is about having the freedom and capacity to choose. Consent to sexual activity may be given to one sort of sexual activity but not another, e.g., to vaginal but not anal sex or penetration with conditions, such as wearing a condom. Consent can be withdrawn at any time during sexual activity and each time activity occurs. Someone consents to vaginal, anal or oral penetration only if s/he agrees by choice to that penetration and has the freedom and capacity to make that choice.

- A child under the age of 13 can never consent to any sexual activity
- The age of consent is 16
- Sexual intercourse without consent is rape.

### 3. External guidance

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Child on child abuse can take many forms including physical, sexual (e.g. inappropriate touching) and emotional abuse (including bullying). Department for Education (DfE) September 2022, DfE Sexual Violence and sexual harassment between children in schools and colleges 2022.

Keeping Children Safe in Education; statutory guidance for schools and colleges, makes it clear that abuse is abuse and should never be tolerated or passed off as ‘banter’ or part of ‘growing up.’

The Equality Act 2010 replaced previous anti-discrimination laws with a single Act. A key provision was a new public sector Equality Duty, which came into force on 5 April 2011. This requires the College to:

- Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the act
- Advance equality of opportunity between people who share a protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and people who do not share it
- Foster good relations between people who share a protected characteristic and people who do not share it

Child on child abuse often involves an imbalance of power between the perpetrator and the victim. This could involve perpetrators having control over the relationship which makes it difficult for those they abuse to defend themselves. This imbalance of power can manifest itself in several ways. It may be an age imbalance, physical, psychological (knowing what upsets someone), or social (e.g. isolating or excluding someone). It could also include issues such as revenge porn or what are often gender issues (e.g. girls being touched or boys being involved in initiation activities). It is important to recognise any learner with additional needs, diagnosed and not, will be more vulnerable to this kind of abuse.

### 4. Actions

The following actions must be taken by all staff:

All staff must be aware that children and young people are capable of abusing their peers.

- All staff and learners have a responsibility to work together to ensure that abuse does not occur, or where it is found, action is taken
- Staff must ensure ground rules are set in induction and that learners are made aware of the importance of adhering to fundamental British values, what constitutes abuse (including bullying and cyber-bullying) and how any incidents of abuse will be addressed through the Student Behaviour Management Procedure
- Personal Tutors and Learning Mentors for under 18s, and those under the age of 25 in receipt of an EHCP and/or high needs funding, must ensure learners understand how to stay safe from abuse through the mandatory induction and tutorial programme
- Staff receiving reports of abuse, including incidents that take place off college premises, must take appropriate action to follow up all allegations/incidents and trigger an investigation which will be managed in line with the Student Behaviour Management Procedure. Sanctions against perpetrators may include suspension whilst an investigation takes place and permanent exclusion
- All staff involved must carefully consider the potential impact of the abuse on both the perpetrator/s and the victim/s and refer those involved for additional support from the Safeguarding Team as appropriate. All concerns must be referred to a DSL/DDSL or safeguarding following the making a referral appendix to the safeguarding policy.
- The Safeguarding Team will consider referring learners and their parents/carers to other agencies where appropriate. This may include referral to the Multi-Agency Children’s Hub which includes Children’s Social Care and police.
- All allegations/incidents must be recorded and learners involved told what is being recorded, in what context, and why

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- Any incident of abuse must be discussed with the students parents/carers for under 18s and those under the age of 25 in receipt of an EHCP and/or high needs funding. An agreement must be reached as to what action should be taken subject to compliance with the Positive Behaviour Policy.
- Advice for Safeguarding Staff where sexual violence occurs –

The victim may ask the college not to tell anyone about the sexual violence or sexual harassment. If the victim does not give consent to share information, staff may still lawfully share it, if it can be justified to be in the public interest, for example, to protect children from harm and to promote the welfare of children. The designated safeguarding lead (or a deputy) should consider the following:

- Parents or carers should normally be informed (unless this would put the victim at greater risk);
- The basic safeguarding principle is: if a child is at risk of harm, is in immediate danger, or has been harmed, the DSL or deputies should be informed.
- Rape, assault by penetration and sexual assaults are crimes. Where a report of rape, assault by penetration or sexual assault is made, this should be referred to the police.

### 5. Useful contacts

- NSPCC Helpline 0808 800 5000
- NSPCC [Harmful Sexual Behaviour](#)
- ChildLine 0800 500 / [www.childline.org.uk](http://www.childline.org.uk)
- Kidscape [www.kidscape.org.uk](http://www.kidscape.org.uk)
- Anti-Bullying Alliance [www.antibullyingalliance.org](http://www.antibullyingalliance.org)
- Bullying UK [www.bullyinguk.org.uk](http://www.bullyinguk.org.uk)
- [Brook Sexual Behaviours Traffic Light Tool](#)

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## APPENDIX 5

### Online Safety

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take if they become aware that a learner is at risk of harm because of using the internet.

#### 2. Definitions

The key terms in this document are defined as:

- **Child:** Those under the age of eighteen
- **Vulnerable Adult:** For the purpose of safeguarding, and the College duty of care, a vulnerable adult is defined as any adult considered to be at risk
- **Education and Health Care Plan (EHCP):** From September 2014 EHCPs began to replace Statements of special educational needs and Learning Difficulty Assessments from those under the age of 25. An EHCP outlines information about the person including how they communicate, what support they need and what they would like to achieve
- **Cyber-bullying:** ‘Virtual’ bullying using technology (e.g. chat rooms, instant messaging, email & mobile phone) which can occur in or outside College. Cyber-bullying can happen at all times of the day or night, with a potentially bigger audience, as people can forward on content very quickly and easily
- **Sending nude or semi-nude images:** Whilst professionals refer to the issue as ‘sexting’ children and young people refer to nudes and semi-nudes. Many professionals consider this to be sending or posting sexually suggestive images, including nude or semi-nude photographs, via mobiles or over the Internet but learners may also be writing and sharing explicit messages with people they know. Creating, possessing and sharing sexual photos and videos of under-18s, including selfies, is illegal
- **Online Harassment:** Any conduct which is unwanted by a learner, which affects the dignity of the learner or group of learners in the College. Harassment may be repetitive or an isolated occurrence against one or more learners and may take place online
- **Sexual Harassment:** Sexual harassment means ‘unwanted conduct of a sexual nature’ that can occur online and offline. When we reference sexual harassment, we do so in the context of child on child sexual harassment. Sexual harassment is likely to: violate a child’s dignity, and/or make them feel intimidated, degraded or humiliated and/or create a hostile, offensive or sexualised environment. Whilst not intended to be an exhaustive list, sexual harassment can include;
  - Sexual comments, such as: telling sexual stories, making lewd comments, making sexual remarks about clothes and appearance and calling someone sexualised names;
  - Sexual “jokes” or taunting;
  - Online sexual harassment. This may be standalone, or part of a wider pattern of sexual harassment and/or sexual violence. It may include:
    - Consensual and non-consensual sharing of nudes and semi-nude images and videos.
    - Sharing of unwanted content
    - Sexualised online bullying;
    - Unwanted sexual comments and messages, including, on social media; and
    - Sexual exploitation; coercion and threats.

#### 3. Online risks

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Blended models of study increases the risks associated with online abuse. Advice for young people can be found here, [Childline](#), the [UK Safer Internet Centre](#) and [CEOP](#). Concerns must be passed to the Safeguarding Team immediately.

This advice deals with the protection of all students and staff at the College when using ICT resources and articulates what is deemed to be acceptable and unacceptable use of those resources. Whilst we aim to support the full use of the vast educational potential of communication technologies, we also have a responsibility to provide safeguards against risk, unacceptable material, and activities. These guidelines are designed to protect all users from online safety incidents and promote a safe e-learning environment for students.

The College believes that all students should be trusted and enabled to use digital technologies in a principled and productive way. All students should be given the opportunity to make productive decisions in the ways they decide to use digital technologies and should be fully engaged in the ongoing debate about what responsible digital citizenship means and how we can nurture it within our College.

Virtual Work Experience placements should be sourced and offered through 'reputable' organisations, e.g. Barclays Lifeskills, SpeakersforSchools, InsideSherpa, etc., with students made aware of how to report online safeguarding concerns.

Where a visiting speaker or employer is introduced to the classroom 'virtually', this should be through Microsoft Teams, with a member of staff present in the room.

### 4. Education — Students

Whilst regulation and technical solutions are very important, their use must be balanced by educating students to take a responsible approach. The education of students in online safety is therefore an essential part of the College's online safety provision. Students need the help and support of the College to recognise and avoid online safety risks and to build their resilience.

Online safety education will be provided in the following ways:

- Students should be taught to be critically aware of the materials / content they access on-line and be guided to validate the accuracy of information on all relevant teaching programmes.
- Students should be helped to understand and adopt safe and appropriate use of IT, the internet, and mobile devices both within and outside College.
- Students should be taught to acknowledge the source of information used and to respect copyright when using material accessed on the internet.
- Through staff acting as good role models in their use of ICT, the internet, and mobile devices.
- Online safety should be a focus in all areas of the curriculum and staff should reinforce online safety messages in the use of ICT across the curriculum.
- Where students can freely search the internet, e.g. using search engines, staff should be vigilant in monitoring the content of the websites the people visit.
- It is accepted that from time to time, for good educational reasons, students may need to research topics (e.g. racism, drugs, and discrimination) that would normally result in internet searches being blocked. In such a situation, staff can request that IT Services Staff can temporarily remove those sites from the filtered list for the period of study. Any request to do so, should be auditable, with clear reasons for the need.
- The safe use of IT must be reinforced and supported in terms of ensuring appropriate and adequate measures are in place to mitigate the risk posed by extremist material and on-line radicalisation in line with Prevent Duty guidance.

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*Whilst it is recognised that mobile communications technology (i-pads, tablets, I-phones, Androids etc.) can be of tremendous benefit to students within the teaching and learning environment it is also recognised that the unlimited and unrestricted usage of 4G and 5G internet access can pose a risk to the safety of students. The College will not seek to block access to the internet by these means but we do commit to a consistent teaching and awareness approach with students of the dangers presented by the internet and how they can be mitigated.*

### 5. Use of digital and video images - Photographic, Video

The development of digital imaging technologies has created significant benefits to learning, allowing staff and students instant use of images that they have recorded themselves or downloaded from the internet. However, staff and students need to be aware of the risks associated with sharing images and with posting digital images on the internet. Those images may remain available on the internet forever and may cause harm or embarrassment to individuals in the short or longer term. There are many reported incidents of employers carrying out internet searches for information about potential and existing employees. The College will inform and educate users about these risks and will implement policies to reduce the likelihood of the potential for harm.

When using digital images, staff should inform and educate students about the risks associated with the taking, use, sharing, publication and distribution of images. They should recognise the risks attached to publishing their own images on the internet e.g. on social networking sites.

Staff can take digital/video images to support educational aims, but must follow College policies concerning the sharing, distribution and publication of those images, where parental/student permission is given (on parental consent forms). Care should be taken when taking digital/video images that students are appropriately dressed and are not participating in activities that might bring the individuals or the College into disrepute.

Students must not take, use, share, publish or distribute images of others without their permission.

Photographs published on the College website, or elsewhere that include students will be selected carefully and will comply with good practice guidance on the use of such images. Students' full names will not be used anywhere on a website or blog, particularly in association with photographs. Written permission from parents or carers will be obtained before photographs of students are published on the College website or prospectus. Student's work can only be published with the **permission** of the student and parents or carers.

### 6. Social Media

Whilst valuing the use of social media (Facebook, Twitter etc.) as an educational and marketing tool, staff and students need to be aware of the risks associated with its use. Items published on social networks have the potential to remain available forever and may cause harm or embarrassment to individuals or the College in the short or longer term. Publishing negative or untrue items about an individual or organisation can lead to College disciplinary, civil action and/or criminal prosecution.

All instances of cyber-bullying and/or harassment will be investigated thoroughly and addressed through the relevant policy.

Sending 'nudes or semi-nudes' is an increasingly common activity among children and young people, where they take and share inappropriate or explicit images online or through mobile phones. It can also refer to written messages. By sending an explicit image, a young person is producing, possessing and distributing child abuse images and risks being prosecuted, three laws have been broken, even if the picture is taken and shared with their permission.

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When images are stored or shared online, they become public. They can be deleted on social media or may only last a few seconds on apps like Snapchat, but images can still be saved or copied by others. These images may never be completely removed and could be found in the future, for example when applying for jobs or university.

Sharing nudes or semi-nudes can leave children/ young people vulnerable to:

- Blackmail - An offender may threaten to share the pictures with the child's family and friends unless the child sends money or more images.
- Bullying - If images are shared with their peers or in school, the child may be bullied.
- Unwanted attention - Images posted online can attract the attention of sex offenders, who know how to search for, collect and modify images.
- Emotional distress – Young people can feel embarrassed and humiliated. If they are very distressed this could lead to [suicide](#) or [self-harm](#).

The College will ensure that a supportive and enabling stance is adopted whenever dealing with students affected by any aspect of negative internet usage.

Staff using social media for educational or other College work purposes, are responsible for the monitoring of its content.

Advice for Staff in the event of a young person telling you that they have received indecent images:

- Do not ask to view the images
- Never copy, print or ask for them to be shared (it's illegal)
- Ask if they know the person who sent it and their age
- If the image was sent by another young person you may want to help the young person to speak to the sender in order to stop future messages. If they agree, you could also help them to block the sender on social media
- If the image was sent by an adult, contact the Safeguarding Team, as this may be part of the grooming process.
- If it is decided there will be no outside agency involvement, ask that the images are deleted and record the date and time this happened

The basic safeguarding principle is, if a child is at risk of harm, is in immediate danger, or has been harmed, a referral should be made to children's social care;

### 7. External Guidance

As technology develops, the internet and its range of content services can be accessed by children, young people and adults through various devices including mobile phones, tablets, text messaging and mobile camera Smart Phones as well as computers and game consoles. As a consequence the Internet has become a significant tool in exposing children to possible risks and dangers including the distribution of indecent/pseudo photographs and video clips of children and young people.

Department for Education (DfE) September 2023: Keeping children safe in education; statutory guidance for schools and colleges, makes it clear that schools and colleges should be aware of the risks and teach young people how to stay safe online.

The Breadth of Issues classified within online safety is considerable, but can be categorised into three areas of risk:

- **Content:** being exposed to illegal, inappropriate or harmful material; for example pornography, fake news, racism, misogyny, self-harm, suicide, anti-Semitism, radicalisation and extremism

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- **Contact:** being subjected to harmful online interaction with other users; for example, pressure from other students, commercial advertising as well as adults posing as children and young adults with the intention to groom or exploit them for sexual, criminal, financial or other purposes
- **Conduct:** personal online behaviour that increases the likelihood of, or causes harm; for example, making, sending and receiving explicit images e.g. consensual and non-consensual sharing of nudes and semi-nudes and/or pornography, sharing other explicit images and online bullying; and
- **Commerce:** risks such as online gambling, inappropriate advertising, phishing and or financial scams. If you feel learners or staff are at risk, please report it to the Anti-Phising Working Group (<https://apwg.org/>).

Whilst the college has a filtering system for its internet access to the world wide web, staff must consider that almost all young people have access to the internet via their phones.

Online abuse is often motivated by prejudice or ignorance due to actual or perceived differences between people or groups or people. People who are lesbian, gay, bisexual or transgender (LGBT), those from minority ethnic groups, or those with disabilities and/or learning difficulties can be more vulnerable to this form of abuse and the College takes it duty to protect more vulnerable learners very seriously.

Any online abuse must be addressed as a child or vulnerable adult protection concern when there is reasonable cause to suspect that a child or vulnerable adult is suffering, or is likely to suffer, significant harm. Sexting involving those under the age of 18 must always be referred to the Safeguarding Team.

### 8. Actions

The following actions must be taken by all staff :

- All staff and learners have a responsibility to work together to ensure that abuse does not occur, or where it is found, action is taken
- Staff must ensure ground rules are set in induction and that learners are made aware of the college response to online abuse, what constitutes abuse and how any incidents will be addressed through the Positive Behaviour Policy.
- Learning Mentors and Personal Tutors for under 18s, and those under the age of 25 in receipt of an EHCP and/or high needs funding, must ensure learners understand how to stay safe online through the tutorial and Personal Development programme
- Staff receiving reports of online safety concerns, including incidents that take place off College premises, must take appropriate action to follow up all allegations/incidents and trigger an investigation which will be managed in line with the Positive Behaviour Policy. Sanctions against perpetrators may include suspension whilst an investigation takes place
- Staff must ensure appropriate managers are notified, alongside the Head of Behaviour.
- All staff involved must carefully consider the potential impact of the abuse on both the perpetrator/s and the victim/s and refer those involved for additional support from the Safeguarding Team as appropriate. Significant concerns must be referred to the Safeguarding Team following the referral routes outlined in Appendix A (child and adult protection) of the Safeguarding Policy
- The Safeguarding Team will consider referring learners and their parents/carers to other agencies where appropriate. This may include referral for counselling and to the police as some types of online behaviour (e.g. sending or receiving indecent images) are criminal offences in the UK.

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- All allegations/incidents must be recorded and learners involved told what is being recorded, in what context, and why
- Any incident of abuse must be discussed with the learners' parents/carers for under 18s and those under the age of 25 in receipt of an EHCP and/or high needs funding. An agreement must be reached as to what action should be taken subject to compliance with the Positive Behaviour Policy.

### 9. Guidance for implementation

Any allegation or incidence of a breach of On-line safety for staff or students must be taken seriously and investigated appropriately. In the first instance the incident or allegation must be recorded and reported to a member of the Safeguarding Team or to the reporting person's immediate line manager. The allegation or incidence will then be subject to a formal investigation with the findings recorded and subsequent actions taken as appropriate.

### 10. Useful Information

[Thinkuknow](#) – NCA CEOPs advice on online safety

[Disrespectnobody](#) – Home Office advice on healthy relationships, including sexting and pornography

[UK safer internet centre](#) – Contains specialist helpline for UK Schools and Colleges

Internet matters – Help for parents on how to keep their children safe online

[Parentzone](#) - Help for parents on how to keep their children safe online

[Childnet cyberbullying](#) – Guidance for schools on cyberbullying

[Pshe association](#) – Guidance and useful teaching resources covering online safety issues including pornography and the sharing of sexual images

[Education for a Connected World](#) from the UK Council for Internet Safety supports the development of the curriculum and is of particular relevance to RSHE education and Computing. It is designed, however, to be usable across the curriculum and beyond (covering early years through to age 18) and to be central to a whole school or college approach to safeguarding and online safety

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## APPENDIX 6

### Care Experienced Children (includes Children in our Care, care leavers), and learners with learning difficulties and/or disabilities

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to learners, their parent/carers; and staff and other workers within the College community; together with wider stakeholders regarding how the College will provide additional monitoring and support to ensure the protection of the most vulnerable. This includes Looked after Children (LAC) / Children in our Care (CiOC), care leavers, previously looked after children, and learners with learning difficulties and/or disabilities (LLDD).

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by Hertfordshire Safeguarding Childrens Board and Hertfordshire Safeguarding Adults Board. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone’s position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

#### 2. Looked After Children/Children In our Care and care leavers

The College recognises the particular vulnerability of Looked after Children / Children in our care and those who have left care and has put the following actions in place:

- The Safeguarding Officer at each college location has oversight of all LAC / CiOC and care leavers at their college campus. This includes maintaining a record for each learner that includes:
  - The name of their social worker or personal advisor as appropriate
  - The name and contact details of the local authority Virtual Headteacher for each learner
  - Course details
  - Details of all agencies involved
  - Information about care arrangements
- The College Safeguarding Officer will ensure all other relevant staff, including, personal tutors and managers are aware of LAC / CiOC and care leavers (where known to the College) on their site or provision by logging details centrally on Pro-Solution (for both groups). This information will then be imported to the relevant student information database.
- The Safeguarding Officer for each site will review the progress of each LAC/care leaver through statutory meetings. Where concerns about progress are identified appropriate interventions must be implemented and reviewed in a timely way , including sharing of information with relevant agencies.
- The Safeguarding Officer or relevant High Needs manager for each site will ensure appropriate representation at Personal and Education Plan (PEP) or other meetings and the subsequent review of the online PEP system.
- Concerns about safeguarding issues should be referred following the referral routes in Appendix A Child and Vulnerable Adult Protection Process.

#### 3. Learners with learning difficulties and/or disabilities

Research demonstrates that children with a disability are four times more likely to be abused and all children with a disability are classified as children in need. It is also widely recognised that those with

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special educational needs (SEN) and disabilities can face additional safeguarding challenges. These include:

- Assumptions that indicators of possible abuse such as behaviour, mood and injury relate to the learner's disability without further exploration
- These learners being more prone to peer group isolation or bullying (including prejudice-based bullying) than other learners
- The potential for learners with SEN, disabilities and certain medical conditions being disproportionately impacted by behaviours such as bullying, without outwardly showing any signs
- Communication barriers and difficulties in managing or reporting these barriers

All staff must be aware of, and consider, the above factors and any concerns about safeguarding issues should be referred to a Designated Person for safeguarding following the referral routes in Appendix A, Child and Vulnerable Adult Protection. If there is a safeguarding concern regarding a learner aged under 25 years of age who is in receipt of an Education and Health Care Plan and/or high needs funding, the High Needs Manager must also be notified at the earliest opportunity.

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## APPENDIX 7

### Prevent

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take to contribute to the College duty to have due regard to preventing people from being drawn into terrorism or extremism. This includes those immediate actions they must take if they become aware that a learner or member of staff presents a threat to themselves and/or others.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by Hertfordshire Safeguarding Childrens Partnership and Hertfordshire Safeguarding Adults Board. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

#### 2. Definitions

The UK Government (2015) define terms as:

- **Fundamental British Values:**
  - **Democracy**
  - **The rule of law**
  - **Individual liberty**
  - **Mutual respect and tolerance for those with different faiths and beliefs**
- **Radicalisation:** refers to the process by which a person comes to support terrorism and extremist ideologies associated with terrorist groups
- **Extremism:** is the vocal or active opposition to our fundamental values, including democracy, the rule of law, individual liberty and the mutual respect and tolerance of different faiths and beliefs. This also includes calling for the death of members of the armed forces in the UK or abroad
- **Terrorism:** is an action that endangers or causes serious violence to a person/people; causes serious damage to property; or seriously interferes or disrupts an electronic system. The use or threat must be designed to influence the government or to intimidate the public and is made for the purpose of advancing a political, religious or ideological cause
- **Entryism:** Extremist individuals, groups and organisations consciously seeking to gain positions of influence to better enable them to promote extremist agendas
- **Channel:** A programme which focuses on providing support at an early stage to people who are identified as being vulnerable to being drawn into terrorism. The programme uses a multi-agency approach to protect vulnerable people by:
  - Identifying individuals at risk
  - Assessing the nature and extent of that risk
  - Developing the most appropriate support plan for the individuals concerned
- **Channel Panel:** A local advisory forum to share information on and intelligence about current potential extremist risks in the local area and actions being taken by local agencies to reduce or remove extremism and terrorist activity
- **Ofsted:** Office for Standards in Education
- **Disinformation:** Fake or misleading stories created and shared deliberately, often by a writer who might have a financial or political motive
- **Misinformation:** This also means fake or misleading stories, but in this case the stories may not have been deliberately created or shared with the intention to mislead

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- **Conspiracy theories:** Conspiracy theories offer a simplifying model for all that cannot be explained or easily understood. They typically involve an ‘alternative’ explanation for an event or situation to those provided by governments and official international bodies, sometimes suggesting a group, individual or organisation is responsible or hiding information from the public.

### 3. Legislative framework and rationale

The Government deems that the UK is currently at ‘Substantial’ risk of international terrorism, meaning an attack is likely. Section 26 of the Counter-Terrorism and Security Act 2015 (the Act) places a duty on certain bodies, including further education colleges, to have due regard to the need to prevent people from being drawn into terrorism. The Prevent duty means the College needs to demonstrate an awareness and understanding of the risk of radicalisation; both within the College and locally; and put appropriate measures in place. This includes:

- establishing or using existing mechanisms for understanding the risk of radicalisation
- ensuring staff understand the risk and building College capability to deal with it
- communicating and promoting the importance of the duty
- ensuring staff implement the duty effectively

### 4. College response

The Governing Body is responsible for ensuring clarity of culture, mission and values in the College and is committed to ensuring College safeguarding (including Prevent) arrangements are developed with reference to the policies and procedures of the local authority, all relevant legislation and guidance, as well as good practice identified in the sector; including that shared by Ofsted. The governing body has identified, amongst other risks, the particular risks associated with extremism and has actions in place to ensure this is prevented. This includes the vetting of potential governors and the suspension of governors in certain circumstances.

### 5. Other key College actions are:

- **Implementation of a Prevent risk assessment plan:**
  - Actions are fully reviewed and revised at least yearly by the College Designated Lead for Safeguarding
  - Progress on the plan is reported to, and evaluated by, the College Safeguarding Group which is chaired by the DSL and to the Governing Body through FE Corporation
  - This risk assessment plan includes actions relating to external speakers, IT policies, the learner voice, subcontractors and the College tutorial system
- **Training in Prevent:**
  - The College has established a mandatory safeguarding training schedule that includes a safeguarding (including Prevent) induction, annual update training on safeguarding (including Prevent) (see Appendix L, Arrangements for Safeguarding Training)
  - The training includes raising awareness of local threats and the following potential signs and symptoms that may indicate a person is at risk of being drawn into terrorism:
    - **Specific influences:** e.g. friends, family, online contacts and recent conversion to a cause/religion
    - **Personal vulnerability:** e.g. identity confusion, victim of/witness to hate crime and family conflict over beliefs/lifestyle
    - **Intolerance & rhetoric:** e.g. extremist views in relation to particular groups

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- **Changes in appearance or behaviour:** e.g. adopting the dress of particular groups, moving away from previous friends who are not connected to the group and spending much more time online
  - **Possession of material/symbols** that are associated with an extremist cause; e.g. swastika
- **Embedding of fundamental British Values into the College culture:**
    - All staff must promote the ethos of fundamental British values in their day to day work and curriculum staff must ensure these values are promoted to learners through teaching, learning and assessment.
    - Staff and learners need to have an understanding and appreciation of the culture and needs of others and understand how to ensure every learner feels they have a place in the College community. Learning Mentors and Curriculum staff must also ensure learners understand how to keep themselves safe from the risks of radicalisation and terrorism through the tutorial and PD programme.
    - Staff and learners must promote fundamental British values. Poor behaviour will be dealt with in accordance with staff and Behaviour Management processes and referral to the Police and the Channel panel if appropriate
    - Members of the Quality Team who observe teaching, learning and assessment as part of their role, must ensure they monitor the promotion and embedding of fundamental British values and take necessary action in relation to concerns in a timely way
  - **Co-operation with the police and local authorities:**
    - The College is represented on existing multi-agency forums and will cooperate with external bodies wherever appropriate
  - **Information sharing and referral:**
    - The College has robust procedures both internally and externally for sharing information about vulnerable individuals:
    - Following a notice-check-share approach; all concerns, and queries relating to radicalisation and terrorism, must be urgently referred to a member of the safeguarding team following the referral routes outlined in Appendix A (Child and Adult Protection) and Appendix P (Allegations and Whistleblowing) of the Safeguarding Policy
    - The Safeguarding Team will refer cases, as appropriate to Channel or the Police, and may also share, and receive, information with/from other institutions and key partners, such as the local Chanel Panel and the Police community safety team
    - If a member of staff identifies someone may already be engaged in illegal terrorist-related activity this must be immediately referred to the Safeguarding Team or in their absence, the most senior member of staff available so the police can be immediately alerted by phoning 999
  - **College policies and procedures:**
    - Policy owners must review policies for inclusion of relevant Prevent actions and take appropriate action where needed in a timely way to ensure full compliance with the College Prevent duty
  - **Learner voice:**
    - The Head of Personal Development will monitor learners' understanding of how to stay safe from the risks associated with radicalisation, terrorism and extremism through focus groups and surveys
  - **Fundraising:**

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- The College takes its responsibility to ensure that fundraising does not provide funding to extremist groups or fund terrorist activities seriously
- Fundraising activities are managed by the Student Services team, or by a Curriculum Department to support a community venture or charity
- All fundraising must include a review of the uses of the funds raised with any areas of concern referred to the Finance Director
- **Online and e-Safety**
  - The College has policies relating to the use of its IT systems and devices both on and off College premises. IT policies and procedures contain specific reference to the Prevent duty
  - The College uses filtering as a means of restricting access to harmful content. Surveillance software is also in place
  - Full guidance is available in the ILT and E-Safety Regulations and Social Media Policy.
  - **Outside organisation promotional materials**
    - The College takes its responsibility to ensure that publications and promotional materials that are brought into its campuses do not promote extremist views, or are supportive of terrorist organisations very seriously
    - All staff are aware that there is a requirement to be vigilant of any physical marketing materials and escalate concerns to the Safeguarding Team at the campus where materials have been identified
    - The Designated Safeguarding Lead will make the final decision on what action to take in the event that the Deputy Designated Officers require further guidance.
- **Subcontractors**
  - The College works with a number of subcontractors in its delivery of education
  - Subcontractors complete an annual application to work with the College. In this application they are required to provide assurance that they will adopt and promote fundamental British values within their delivery, and that they will not promote or engage in extremist related activities or propaganda
  - All aspects of subcontractor compliance with the Prevent duty are overseen by HR
- **Visitors and visiting speakers/events**
  - Staff must ensure all visitors to the College adhere to the requirements of the Visitors to College Premises policy. This policy is available on the facilities section of the policies and procedures of the staff Share point site
  - Visiting speakers can provide a greatly enhanced experience to learners, and can contribute significantly to the College tutorial programme. Nevertheless, the College takes seriously its responsibility to balance the need to allow debate of controversial issues with the duty to prevent those promoting extremist views from influencing College learners
  - All staff organising a visiting speaker or event must carry out a risk assessment that includes an online search of publicly available information relating to both the speaker and the organisation they represent as appropriate. The risk assessment must be reviewed by the appropriate manager who will discuss any concerns with the Designated Lead for Safeguarding prior to approval/rejection by the manager and DSL
  - Visiting speakers who are deemed to have extremist views which pose a safeguarding risk must not be invited into the College
  - All visiting speakers must sign in as a visitor and be accompanied by a member of staff at all times. Staff must interject or stop an event if they feel that the speaker is promoting extremist views or inequality in any form.

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### 6. Roles and responsibilities of specific College staff

- Designated Lead for Safeguarding:
  - Liaising with local Prevent Coordinators
  - Attending Chanel Panel
  - Ensuring the effective use of the CHANNEL, and police, referral processes
  - Overseeing the training of staff
- Safeguarding Officers:
  - Referring concerns to appropriate agencies
  - Supporting individual learners who are working with agencies
  - Supporting groups of learners or individuals who have been impacted by or exposed to any activity which might provide an opportunity to any extremist group. This might take the form of mentoring, monitoring or providing access to other agencies
  - Supporting and delivering training to staff
- Student Support & Learning Mentors
  - Providing resources to promote fundamental British values within the Personal Development & Enrichment programme
  - Ensuring planned cultural and religious events are well conceived, effectively managed, and give consideration to the College Prevent duty
  - Monitoring the College faith and contemplation room. This room is available for use by individuals of any denomination and accessible at all times. |
  - Monitoring and oversight of the activity of the Students' Union
  - Monitoring and oversight of other formal groups or societies within the student body
- DSL/DDSL Planning & Infrastructure:
  - Ensuring a robust disaster management/emergency plan is in place and will be responsive to a terrorist threat
  - Maintaining a proportionate and appropriate level of campus security including the enforcement of appropriate ID for staff, learners and visitors
  - Ensuring that the IT hardware and software provides filtering against, and monitoring of, extremist and terrorist activity
  - Ensuring external lettings of College premises adhere to Prevent duty requirements
- Director of Finance
  - Ensuring funds raised or generated by the College are not used to fund terrorist activity
- Deputy Principal Business Development
  - Ensuring College sub-contractors discharge their Prevent duty in line with requirements

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Linked Policies - Facilities – External Lettings |

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## APPENDIX 8

### County Lines and Criminal Exploitation (including gangs)

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding the actions they must take if they become aware that a learner is at risk of or, is suspected of currently, being exploited by county lines gangs.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by Hertfordshire Safeguarding Childrens Board and Hertfordshire Safeguarding Adults Board. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

#### 2. Definitions

The key terms in this document are defined as:

- **County Lines:** 'County Lines' is a term used when drug gangs from big cities expand their operations to smaller towns, often using violence (including sexual violence) to drive out local dealers and exploiting children and vulnerable people to sell drugs. Young people and vulnerable adults can easily become trapped by this type of exploitation as county lines gangs create drug debts and can threaten serious violence and kidnap towards victims (and their families) if they attempt to leave the county lines network.
- **Dead Lines:** Dedicated Mobile phones to take orders for drugs
- **Cuckooing:** When drug gangs take over homes belonging to vulnerable people to operate their criminal activity from
- **Plugging:** where drugs are concealed internally to avoid detection.

#### 3. External guidance

Criminal exploitation of children and vulnerable adults is a geographically widespread form of harm that is a typical feature of county lines activity. It is a harm which is relatively little known about or recognised by those best placed to spot its potential victims.

This Appendix is intended to explain the nature of this harm to enable practitioners to recognise its signs and respond appropriately so that potential victims get the support and help needed. [Home Office September 2018: Criminal Exploitation of Children and Vulnerable adults: County Lines Guidance](#)

County lines is a major, cross-cutting issue involving drugs, violence, gangs, safeguarding, criminal and sexual exploitation, modern slavery, and missing persons; and the response to tackle it involves the police, the National Crime Agency, a wide range of Government departments, local government agencies and VCS (voluntary and community sector) organisations.

The UK Government defines county lines as:

County lines is a term used to describe gangs and organised criminal networks involved in exporting illegal drugs into one or more importing areas within the UK, using dedicated mobile phone lines or other form of "deal line". They are likely to exploit children and vulnerable adults to move and store the drugs and money and they will often use coercion, intimidation, violence (including sexual violence) and weapons.

County lines activity and the associated violence, drug dealing and exploitation has a devastating impact on young people, vulnerable adults and local communities.

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Child criminal exploitation is increasingly used to describe this type of exploitation where children are involved, and is defined as:

Child Criminal Exploitation is common in county lines and occurs where an individual or group takes advantage of an imbalance of power to coerce, control, manipulate or deceive a child or young person under the age of 18. The victim may have been criminally exploited even if the activity appears consensual. Child Criminal Exploitation does not always involve physical contact; it can also occur through the use of technology.

Criminal exploitation of children is broader than just county lines, and includes for instance children forced to work on cannabis farms or to commit theft.

### 4. How County Lines Exploitation Affects Young People and Vulnerable Adults

Like other forms of abuse and exploitation, county lines exploitation:

- can affect any child or young person (male or female) under the age of 18 years
  - can affect any vulnerable adult over the age of 18 years
  - can still be exploitation even if the activity appears consensual
  - can involve force and/or enticement-based methods of compliance and is often accompanied by violence or threats of violence
  - can be perpetrated by individuals or groups, males or females, and young people or adults; and
  - is typified by some form of power imbalance in favour of those perpetrating the exploitation.
- Whilst age may be the most obvious, this power imbalance can also be due to a range of other factors including gender, cognitive ability, physical strength, status, and access to economic or other resources.

One of the key factors found in most cases of county lines exploitation is the presence of some form of exchange (e.g. carrying drugs in return for something). Where it is the victim who is offered, promised or given something they need or want, the exchange can include both tangible (such as money, drugs or clothes) and intangible rewards (such as status, protection or perceived friendship or affection). It is important to remember the unequal power dynamic within which this exchange occurs and to remember that the receipt of something by a young person or vulnerable adult does not make them any less of a victim. It is also important to note that the prevention of something negative can also fulfil the requirement for exchange, for example a young person who engages in county lines activity to stop someone carrying out a threat to harm his/her family.

### Gangs

Defining a gang is difficult. They tend to fall into three categories: peer groups, street gangs and organised crime groups. The normal gathering in groups of young people to socialise, either outside or inside, should not be confused with gang activity. It may be that there is some anti-social behaviour and even low level offending but this is not the behaviours and activities we would class as gang, youth violence or child criminal exploitation.

A street gang might be a fairly stable part of the local area and will have a reputation as criminals and perhaps for violence. This activity could extend to county lines. There is likely to be an accepted hierarchy in the gang and some expectation of criminal activity for all members. There is also likely to be an assumption of territory 'owned' by the gang and conflict with other gangs is also likely. More organised gangs are likely to be involved with serious crime and are usually run by adults who will recruit vulnerable people including children, to meet the needs of the gang and their activities.

Young people can become indebted to the gang and then exploited in order to pay off debts. Young people who are criminally exploited often go missing and travel to other towns (some of which can be

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great distances from their home addresses). They may have unexplained increases in money or possessions, be in receipt of additional mobile phone and receive excessive texts or phone calls.

### 5. Who Is Vulnerable?

The national picture on county lines continues to develop but there are recorded cases of:

- children as young as 12 years old being exploited or moved by gangs to courier drugs out of their local area; 15-16 years is the most common age range
- Both males and females being exploited
- White British children being targeted because gangs perceive they are more likely to evade police detection but a person of any ethnicity or nationality may be exploited
- The use of social media to make initial contact with children and young people
- class 'A' drug users being targeted so that gangs can take over their homes (known as 'cuckooing').

County lines exploitation is geographically widespread operating throughout England, Wales and Scotland. Gangs are known to target vulnerable children and adults; some of the factors that heighten a person's vulnerability include:

- having prior experience of neglect, physical and/or sexual abuse
- Lack of a safe/stable home environment, now or in the past (domestic violence or parental substance misuse, mental health issues or criminality, for example)
- Social isolation or social difficulties
- Economic vulnerability
- Homelessness or insecure accommodation status
- Connections with other people involved in gangs
- having a physical or learning disability
- having mental health or substance misuse issues;
- being in care (particularly those in residential care and those with interrupted care histories)
- being excluded from mainstream education, in particular attending a Pupil Referral Unit.

### 6. The Signs to Look Out For

A young person's involvement in county lines activity often leaves signs. A person might exhibit some of these signs, either as a member or as an associate of a gang dealing drugs. Any sudden changes in a person's lifestyle should be discussed with them.

Some potential indicators of county lines involvement and exploitation are listed below, with those at the top of particular concern:

- persistently going missing from school or home and / or being found out-of-area
- Are found in accommodation that they have no connection with, often called a trap house or cuckooing or hotel room where there is drug activity
- unexplained acquisition of money, clothes, or mobile phones
- excessive receipt of texts / phone calls and/or having multiple handsets
- relationships with controlling / older individuals or groups
- Having a debt bond to their exploiters
- Have their bank accounts used to facilitate drug dealing
- Have been the victim or perpetrator of serious violence e.g. knife crime
- leaving home / care without explanation
- suspicion of physical assault / unexplained injuries
- parental concerns
- carrying weapons
- significant decline in school results / performance
- gang association or isolation from peers or social networks

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- are involved in receiving requests for drugs via a phone line, moving drugs, handing over and collecting money for drugs
- Are exposed to techniques such as plugging (see definitions)
- Self-harm or significant changes in emotional well-being.

Any concerns regarding Criminal Exploitation and County Lines should be referred to the safeguarding team using the processes set out in Appendix J of the Safeguarding Policy.

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## APPENDIX 9

### Early Help Referrals

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to staff regarding identifying young people who would benefit from a multi-agency response to issues affecting the young person or their family.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by Hertfordshire Safeguarding Childrens Board and Hertfordshire Safeguarding Adults Partnership. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone’s position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

#### 2. Early Help

Early help means providing support as soon as a problem emerges at any point in a child’s life. Where a child would benefit from co-ordinated early help, an early help inter-agency assessment should be arranged. Chapter one of ‘Working Together to Safeguard Children 2018’ provides detailed guidance on the Early Help process. The Safeguarding Team will be responsible for identifying and implementing any Early Help measures which are required.

Effective early help relies upon local agencies working together to:

- identify children and families who would benefit from early help;
- undertake an assessment of the need for early help; and
- provide targeted early help services to address the assessed needs of a child and their family which focuses on activity to significantly improve the outcomes for the child/Local authorities under section 10 of the Children Act 2004 have a responsibility to promote inter-agency cooperation to improve the welfare of children.

#### 3. The Need for Early Help

Any child or young person may benefit from early help, but all college staff should be particularly alert to the potential need for early help for a young person who:

- is disabled and has specific additional needs;
- has special educational needs (whether or not they have a statutory education, health and care plan);
- has a mental health need;
- is a young carer;
- is showing signs of being drawn in to anti-social or criminal behaviour, including gang involvement and association with organised crime groups or county lines;
- is frequently missing/goes missing from care or from home;
- is at risk of modern slavery, trafficking, criminal or sexual exploitation;
- is at risk of radicalised or exploited;
- has a family member in prison or is affected by parental offending;
- is in a family circumstance presenting challenges for the child, such as drug and alcohol misuse, adult mental health problems or domestic abuse;
- is misusing drugs or alcohol themselves;
- has returned home to their family from care;

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- is at risk of so called, ‘honour’ based abuse such as female genital mutilation or forced marriage;
- is a privately fostered child;
- is showing early signs of abuse and/or neglect;
- is persistently absent from education including persistent absences for part of the school day.

Early Help is useful where a child and family would benefit from co-ordinated support from more than one agency (e.g. education, health, housing, police) there should be an inter-agency assessment. These early assessments should identify what help the child and family require to prevent needs escalating to a point where intervention would be needed via a statutory assessment under the Children Act 2004 1989.

### 4. Making an Early Help Referral

If you suspect a young person would benefit from Early Help to prevent issues from escalating to a Child in Need at a later point, you should contact the Safeguarding Team.

The Safeguarding will work with you to complete an Early Help Assessment which will establish the level of need of the young person. If the level of need meets the requirement for referral an Early Help Assessment will be sent to the local Children’s Hub.

If the level of need does not meet the threshold for an early help referral, the Safeguarding Team will work with you to implement support to best suit the young person’s needs. It is essential that the young person, the safeguarding team and you as the referrer work together to support the young person.

If the young person’s circumstances change or the situation does not improve, consideration should be made to review using the early help assessment framework and take the necessary action.

### 5. Effective Early Help

#### For an early help assessment to be effective:

- The assessment should be undertaken with the agreement of the child and their parents or carers. It should involve the child and family as well as all the professionals who are working with them.
- A teacher or tutor, with the Safeguarding Team, GP, health visitor, early years' worker or other professional should be able to discuss concerns they may have about a child and family with a social worker in the local authority. Local authority children's social care should set out the process for how this will happen; and
- If parents and/or the child do not consent to an early help assessment, then the lead professional should make a judgement as to whether, without help, the needs of the child will escalate. If so, a referral into local authority children's social care may be necessary.

If at any time it is considered that the child may be a child in need as defined in the Children Act 1989, or that the child has suffered significant harm or is likely to do so, a referral should be made immediately to local authority children’s social care. This referral can be made by any professional however, the Safeguarding Team/DSL should make the final decision and lead on the referral.

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## APPENDIX 10

### Conviction Disclosure & Safeguarding Risk Assessment Panels

#### 1. Purpose

Oaklands College is committed to providing, creating and maintaining an atmosphere which is conducive to the academic and social well-being of the College community and each of its campuses or training centres.

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to applicants, parent/carers, current students and staff regarding the need for potential and current students to declare unspent criminal conviction(s), cautions, pending charges, inclusion on the sex offenders register or police investigations. This appendix considers all applicants and students on all programmes.

The College has a duty of care to students, staff, visitors and clients. In order to discharge this duty it is incumbent upon the College to consider the impact of any unspent criminal conviction(s)<sup>1</sup> (see Appendix 1 for rehabilitation periods), cautions, pending charges, inclusion on the sex offenders register or police investigations.

The College defines relevant and un-spent convictions in line with the Rehabilitation of Offenders Act 1974 (ROA) (Exceptions) Order 1975 (amendment) Order 2019 Appendix 1. This appendix of the Safeguarding Policy operates in consideration of relevant statutory legislation and professional body requirements.

#### 2. General Principles

There is a requirement for all students applying for courses and current students to declare unspent criminal conviction(s), cautions, pending charges inclusion on the sex offenders register or police investigations to the College at enrolment and throughout the duration of their course.

Having an unspent criminal conviction(s), caution, pending charges, inclusion on the sex offenders register or police investigations does not automatically exclude anyone from being a student at College. The admission of a student or a student continuing on a course at college is, however, at the discretion of the College with due regard to the Safeguarding, Health, Safety, and Welfare of other members of the college community. In particular, there may be occasions where the nature of an applicant's criminal conviction poses a potential risk to the College community or makes them unsuitable for the chosen programme or to be in a college environment.

Some College Courses are exempt from the ROA and require full disclosure of spent criminal conviction(s), cautions, pending charges, inclusion on the sex offenders register or police investigations at the point of application. Potential students will be notified of the need to disclose information upon application for a Disclosure and Barring Check (DBS).

All information provided as part of this process will be considered objectively assessing any risk to etc. staff, students, visitors and clients.

<sup>1</sup> An unspent conviction is a term from the British criminal justice system. When convicted of a crime in court, that conviction will be unspent for a certain period of time (called the rehabilitation period), meaning that it remains against your personal record and must be declared whenever you are asked about criminal convictions

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Information provided will be treated as 'sensitive, confidential data' in line with College Policy and the General Data Protection Regulations (GDPR).

### 3. Disclosing Conviction(s) or Police Investigations

#### Students at application

Students applying to courses at college must declare unspent criminal conviction(s), cautions, pending charges, inclusion on the sex offenders register or police investigations at enrolment.

#### Current Students

Students studying on a course are required to inform the Safeguarding Team of any unspent criminal conviction(s), cautions, pending charges, inclusion on the sex offenders register or police investigations that have occurred since their start date.

#### Declaration Form

Once the unspent criminal conviction(s), cautions, pending charges, inclusion on the sex offenders register or police investigations is declared, an applicant or current student will be provided with a form to declare the nature of the offence or investigation. The form may be online as part of the application process, or a paper form given. Full details must be provided, including, dates of charges/allegations, conditions, probation officer/youth offending officer/social worker/investigating officer name and telephone numbers.

Advice can be given if applicants are unsure of information to include.  
NACRO 0300 123 1999 [helpline@nacro.org.uk](mailto:helpline@nacro.org.uk)

Paper declaration forms must be handed to DSL/DDSL within one working day of completion.

### 4. Failure to Disclose

If a person applying to a programme fails to declare unspent criminal conviction(s), cautions, pending charges, inclusion on the sex offenders register or police investigations, the application may be considered 'fraudulent'.

Current students who fail to declare may be subject to disciplinary proceedings and may be withdrawn from their course.

### 5. Disclosure Levels

Once the fully completed criminal disclosure form is received by DSL/DDSL, an initial review of content must take place within 5 working days. The Campus Safeguarding Officer will review the disclosures and confirm with relevant probation officer/youth offending officer/social worker/investigating officer where appropriate that the details are correct.

The DSL/DDSL will assess the unspent criminal conviction(s), cautions, pending charges inclusion on the sex offenders register or police investigations and rate the offence as one of the following:

- **Low Risk**
- **Medium Risk**
- **High Risk**

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Risk ratings are at the discretion of the College and made with due regard to the Safeguarding, Health and Safety and Welfare of other members of the college community.

### Low Risk

The Head of Admissions will review the initial declaration form and make the following recommendations:

- Approved and signed off, no risk assessment required
  - Approved, risk assessment required (unusual for low risk)
- DSL/DDSL will share the declaration form and all details of their recommendations with the relevant CTM/Director within 5 working days, who may:
    - Sign off and agree to the recommendations
    - Change the recommendation and sign off the form
    - Disagree with the outcome and convene a Criminal Disclosure Panel

### Medium Risk or High Risk

Where the DSL/DDSL have rated the offences as Medium or High Risk, a meeting shall be arranged with relevant people. This, ideally (where appropriate) will include the student, family and external support agencies.

### 5. Criminal Disclosure Panel

The panel will consist of:

- Designated Safeguarding Lead (or nominee) (Chair)
- Head of Department of the department where the student/potential student will be studying (HOD are invited, however if unable to attend within the time frame, the panel meeting will still go ahead)
- Representatives from external partners e.g. Police, Probation, Youth Offending Team (if appropriate)

The Designated Safeguarding Lead will present the declaration, alerting the panel to any potential concerns they may have. During the meeting, the Admissions risk assessment form will be completed and signed by panel attendees.

The outcome of the meeting will be:

- Admit the applicant/continue on programme on the basis of the evidence presented
- Admit the applicant subject to agreed contract of conduct/other restrictions. (The student will be contacted by the curriculum team who will explain the details of the contract and the consequences of non-adherence. The student must sign the contract of conduct as a condition of being offered or maintaining a place at college).
- Admit the applicant with Careers guidance from Curriculum area (Secretariat inform Curriculum)
- Admit the applicant for this course only, future courses would require further consideration
- Recommend continued exclusion or non-admittance due to the risks presented to the institution Re: safeguarding. (Any student who is declined will be sent a letter advising that this is the case. Where a student is under the age of 18, parents/carers will also

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be informed in writing with appropriate consent. Where a student is currently working with the Youth Offending Team or the Probation Service, their assigned worker will be informed.)

Any decisions the college make to decline a learner can only be done on the basis where it is felt that the risks to the college community are too high.

### 6. Other Circumstances

The College reserves the right to conduct a risk assessment on any applicant or any student at any time. This could include when an applicant has already been made an unconditional or conditional offer of a place on a course or when learners are already on course. This may be in response to a range of circumstances including information on an EHCP, a Disclosure and Barring Service (DBS) certificate that was not disclosed at the application/enrolment stage and information received from social services, the police and other relevant agencies or organisations.

If the outcome is that an applicant is refused a place at the College, an offer of a place to an applicant is withdrawn or a learner on programme is withdrawn, the decision will be communicated in writing to the applicant or learner. This letter will be copied to the parent/carer for a learner under the age of 18, with appropriate consent.

### 7. Appeals

Applicants who have been refused a place at the College or have had an offer of a place withdrawn and learners on programme who have been withdrawn due to a safeguarding risk assessment panel, may appeal against this decision. Appeals must be made in writing and must be received by the College within 15 working days of the date of the panel outcome letter.

The appeal should be sent to the Executive Team and Secretariat Manager Ellie Beckwith at the main College address: Oaklands College Smallford, Hatfield Rd, Oaklands, St Albans AL4 0JA or by email to [ellie.beckwith@oaklands.ac.uk](mailto:ellie.beckwith@oaklands.ac.uk). Appeals will be heard by a member of the Senior Management Team, usually the College Principal, who will consider each individual case and confirm their decision to the applicant or learner in writing.

For the purposes of this policy, an appeal is defined as a request for a formal review of the outcome of a safeguarding risk assessment panel. The appellant may appeal a decision regarding the outcome of the panel if they feel that the panel was not conducted in accordance with this policy or that the decision did not take account of the available evidence or was unreasonable, given the evidence available. In making an application for an appeal, the appellant must state on which of these grounds the appeal is being made.

### Appendix 1

#### Guidance Notes for Students - Rehabilitation of Offenders Act 1974

The Rehabilitation of Offenders Act 1974 enables criminal convictions to become 'spent' or ignored after a specified 'rehabilitation period'. After this period, with certain exceptions, an ex-offender is not normally obliged to mention their conviction.

Students are not obliged to disclose Spent convictions if they are applying for or attend programmes that are not professionally validated programmes or do not require a DBS disclosure.

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Full details of the rehabilitation of offenders act can be found here [Rehabilitation of Offender Act 1974](#)

Sentence/disposal	Buffer period for adults (18 and over at the time of conviction or the time the disposal is administered). This applies from the <u>end date of the sentence (including the licence period)</u> .	Buffer period for young people (under 18 at the time of conviction or the time the disposal is administered). This applies from the <u>end date of the sentence (including the licence period)</u> .
Custodial sentence* of over 4 years, or a public protection sentence	Never spent	Never spent
Custodial sentence of over 30 months (2 ½ years) and up to and including 48 months (4 years)	7 years	3½ years
Custodial sentence of over 6 months and up to and including 30 months (2 ½ years)	4 years	2 years
Custodial sentence of 6 months or less	2 years	18 months
Community order or youth rehabilitation order**	1 year	6 months

\*Custodial sentence includes a sentence of imprisonment (both an immediate custodial sentence and a suspended sentence), a sentence of detention in a young offender institution, a sentence of detention under section 91 of the Powers of Criminal Courts (Sentencing) Act 2000, a detention and training order, a sentence of youth custody, a sentence of corrective training and a sentence of Borstal training.

\*\*In relation to any community or youth rehabilitation order which has no specified end date, the rehabilitation period is 2 years from the date of conviction.

The following table sets out the rehabilitation period for sentences which do not have “buffer periods” and for which the rehabilitation period runs from the date of conviction:

Sentence/disposal	Rehabilitation period for adults (18 and over at the time of conviction or the time the disposal is administered).	Rehabilitation period for young people (under 18 at the time of conviction or the time the disposal is administered).
Fine	1 year	6 months
Conditional discharge,	Period of the order	Period of the order
Absolute discharge	None	None
Conditional caution and youth conditional caution	3 months or when the caution ceases to have effect if earlier	3 months
Simple caution, youth caution	Spent immediately	Spent immediately

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Compensation order*	On the discharge of the order (i.e. when it is paid in full)	On the discharge of the order (i.e. when it is paid in full)
Binding over order	Period of the order	Period of the order
Attendance centre order	Period of the order	Period of the order
Hospital order (with or without a restriction order)	Period of the order	Period of the order
Referral order	Not available for adults	Period of the order
Reparation order	Not available for adults	None

**Important Note:** This is intended as general guidance only. It is not legal advice and must not be regarded as a definitive interpretation of the 1974 Act. Anyone in doubt should seek their own legal advice.

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## APPENDIX 10

### College Arrangements for Safeguarding Training

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to learners, their parent/carers; and staff and other workers within the College community; together with wider stakeholders regarding how the College will ensure staff are trained in safeguarding by setting out the required mandatory training for different groups and the actions to be taken in the event of non-compliance.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by Hertfordshire Safeguarding Childrens Board and Hertfordshire Safeguarding Adults Board. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

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## APPENDIX 11

### Disclosure and Barring Service Checks

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines regarding the College approach to Disclosure and Barring Service (DBS) checking within the statutory framework.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by Hertfordshire Safeguarding Childrens Board and Hertfordshire Safeguarding Adults Board. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

#### 2. DBS checks

DBS checks enable organisations to make safer recruitment decisions by identifying those who may be unsuitable for work with children and/or vulnerable adults. The College deems itself to be a 'specified place' in line with the Department for Education (DfE) September 2023 statutory guidance; 'Keeping children safe in education' and as such the appointment of all College staff is subject to a satisfactory enhanced DBS check.

The enhanced DBS check will include a check of the barred lists and will show all offences not filtered under the Rehabilitation of Offenders (ROA) Act 1974 (Exceptions Order 1975, amendments 2013 & 2020). A DBS check is necessary because all College staff have the opportunity, on a daily basis, for contact with children and it is impracticable to always fully supervise volunteers.

Learners who will be undertaking work with children and/or vulnerable adults as part of their course will also be subject to an enhanced DBS check. This check will be undertaken by the College for those on placement and will already have been undertaken by the employer for those with employed status in that particular organisation.

If the DBS disclosure certificate shows evidence that the individual is potentially a risk to children and/or vulnerable adults, the College reserves the right to withdraw any offer of employment/volunteering opportunity or an offer of a place on a course that requires the person to work with children and/or vulnerable adults. Decisions will be made in the light of the seriousness, date and circumstances relating to the offence/s.

Minor offences of a non-safeguarding nature committed some time ago will be considered to have little or no bearing on whether the individual is suitable to work with children or vulnerable adults.

More serious offences (e.g. those involving sex, violence, terrorism or the supply of drugs) may give rise to a reasonable belief that the individual is a potential risk to children or vulnerable adults.

In the case of any offences or convictions appearing on the DBS check, the College will conduct a Criminal Conviction Risk Assessment prior to the employee commencing. This risk Assessment must be signed off by Human Resources and the Line Manager.

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Decisions for staff will be made in accordance with the Disciplinary policy and procedure and in consultation with the College Designated Lead for Safeguarding and the Group Director of Human Resources.

Decisions for learners will be made by a safeguarding risk assessment panel. This is normally chaired by the Designated Lead for Safeguarding.

Further details for staff and volunteers are outlined in the Safer Recruitment section (Appendix N – and for learners in the Safeguarding Risk Assessment Panels section (Appendix K) of the Safeguarding policy.

### 3. External workers employed by other organisations

Workers employed by certain identified organisations are sometimes able to work unsupervised with College learners; usually in relation to welfare issues. These organisations include the NHS and children’s social care services. Screening for this group is organised by the Student Services Management team and recorded by the Human Resources (HR) Department. Screening includes receipt of written confirmation from each employer that safer recruitment practices have been adhered to; including a satisfactory enhanced DBS check. An ID check must be completed on the first visit.

### 4. Single Central Record

The HR Department maintains a single central record of employment checks for staff appointed by the College. The reference number of a DBS certificate will be recorded on the record, together with the date it was seen and the initials of the member of HR who saw the certificate.

A record of learner DBS checks is maintained separately and overseen by the College Designated Lead for safeguarding.

### 5. Staff from outside the United Kingdom or who have worked abroad

Prospective staff who have lived or worked overseas, (3 months +) within the last 10 years, may be subject to additional checks as considered appropriate. Such additional checks may include certificates of good conduct or checks of foreign police records. If these are unavailable (it is not possible to obtain these checks in every circumstance) the College will pursue other avenues such as additional references, so that safer recruitment is achieved. The College will also, where appropriate seek information from overseas teaching regulatory bodies to ascertain if any concerns have been raised against prospective teaching staff.

The College reserves the right to vary these parameters in a given situation, e.g. where an applicant worked abroad for a limited period of time or over 10 years ago. In particular, where this work has been in certain settings (e.g. a children’s home or hospital) the College may make such additional checks as it deems appropriate.

### 6. People who do not require a Disclosure and Barring Service Check

All visitors to the College must report to reception and sign in upon arrival and out upon leaving the premises. Visitors who are accompanied by a member of staff at all times are not required to have a DBS check. Other groups who do not require DBS checks include:

- People who are on site before or after normal College hours and when children are not present, e.g. local groups who hire premises for community or leisure activities
- Learners on placement in the College who are under the age of 16. This group are not eligible for a DBS check and must be fully supervised at all times

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### 7. Work experience placements – employer DBS checks

DfE advice on post 16 study programme placements (May 2019) states that ‘Providers are no longer required to carry out enhanced Disclosure and Barring Service (DBS) checks on employers/staff supervising young people aged 16 to 17 on work experience’. The College is, however, committed to ensuring that all reasonable precautions have been taken to ensure learners under the age of 18 in placement are safe. For this reason, the following principles must be applied:

- The employer should not be a sole trader
- The employer should be able to provide supervision of an adequate nature to the learner on work experience. This would normally mean more than one member of staff was on hand at all times
- If there is a potential that an individual member of staff will be working closely with a learner under the age of 18 over an extended period of time, the employer should look to mitigate the risk, and if this is not possible the employer would need to comply with ‘regulated activity’ DBS requirements and carry out an enhanced DBS check
- Department for Education Advice on Work Experience Placements is available at [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/534922/Post\\_16\\_work\\_experience\\_guidance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/534922/Post_16_work_experience_guidance.pdf)

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Type of check	What the check involves	Positions eligible for this level of check
<b>Standard check</b>	Check of the Police National Computer records of convictions, cautions, reprimands and warnings.	The position being applied for must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.
<b>Enhanced check</b>	Check of the Police National Computer records <b>plus</b> additional information held by police such as interviews and allegations. Additional information will only be disclosed where a chief police officer reasonably believes it to be relevant and considers that it ought to be disclosed.	The position being applied for must be covered by an exempted question in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and by provisions in the Police Act 1997 (Criminal Records) Regulations 2002.*
<b>Enhanced criminal record check with children's and/or adult's barred list information</b>	Check of the Police National Computer records <b>plus</b> additional information held by police <b>plus</b> check of the DBS Children's Barred List <b>plus</b> check of the DBS Adults' Barred List.	The position must be eligible for an enhanced level criminal record check as above and be for a purpose listed in the Police Act 1997 (Criminal Records) (No2) Regulations 2009 as qualifying for a barred list(s) check.

\*This legislation does not provide a list of job roles that are eligible for this check – such a list does not exist. Instead, the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 sets out the 'exempted questions' for which a standard check can be obtained. Similarly, the Police Act 1997 (Criminal Records) Regulations 2002 set out the purposes for which an enhanced check can be obtained, and the Police Act 1997 (Criminal Records) (No 2) Regulations 2009 list the circumstances in which an enhanced check will automatically include a barred list check. It is important to note that the Regulations can also remove roles, duties or activities through the removal of an exempted question or of a particular purpose. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, the Police Act 1997 (Criminal Records) Regulations 2002 and the Police Act 1997 (Criminal Records) (No 2) Regulations 2009 can all be found on the [legislation website](#).

Any individual (including an applicant for a job which does not involve working with children) can be asked to apply for a basic criminal record check. This will show only unspent convictions and cautions. This service is currently provided via the Disclosure and Barring Service. Further details can be found on [gov.uk](#).

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## APPENDIX 12

### Safer Recruitment of Staff and Volunteers

#### 1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines to learners, their parent/carers; and staff and other workers within the College community; together with wider stakeholders regarding the College's recruitment procedures and how these will ensure people who might abuse children and/or vulnerable adults are deterred, rejected or identified to ensure inappropriate people do not work with College learners.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by the Hertfordshire Safeguarding Children Partnership and the [Hertfordshire Safeguarding Adults Board](#). The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

#### 2. Definitions

The key terms in this document are defined as:

- **Children:** Those under the age of eighteen
- **Vulnerable Adults:** For the purpose of safeguarding, and the College duty of care, a vulnerable adult is defined as any adult considered to be at risk

#### 3. Relevant external guidance

This document has been prepared with reference to statutory requirements, including:

- 'Keeping Children Safe in Education'; Department for Education, September 2023
  - 'An employer's guide to right to work checks'; Gov.uk, Jan 2019
- The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (amendment) Order 2019

The College defines itself as a 'specified place' in accordance with the guidance outlined in 'Keeping Children Safe in Education' September 2022 and staff working within the College as in 'regulated activity' as their positions could involve regular contact with children under the age of 18. Therefore the College is legally entitled to ask all applicants to disclose any convictions and cautions that are not protected under the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 (amendments) 2013 and 2020.

The ROA 1974 makes provision for most convictions and all cautions, reprimands and final warnings to be considered spent after a certain period for many types of employment. However, because all roles within the College are deemed to be 'regulated activity' the College is entitled to request details of all convictions and cautions that are not protected (i.e. eligible for filtering) under the amendments to the ROA Exceptions Order 1975 (amendments) 2013 and 2020.

The Group is committed to equality of opportunity for all job applicants and aim to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, where appropriate, qualifications and training. The Group is an 'exempt' employer as defined in the ROA 1974 (Exceptions Order 1975, amendments 2013 & 2020) and as such has a lawful basis for requesting an enhanced DBS disclosure certificate for employees. In addition, the Group is a regulated activity provider and for most posts, we have a statutory duty to check that the individual is not barred from regulated work with children and / or adults. The safeguarding of children and vulnerable adults is of

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paramount importance and the scrutiny of any unspent cautions or convictions and those which would not be protected under the Ministry of justice filtering rules is an essential and non-negotiable part of the pre-employment check process.

The 2020 Amendments to the ROA 1974 introduced new criminal record filtering rules affecting the information that employers will now receive on DBS certificates. Certain offences will never be filtered, but some spent convictions and all youth cautions, warnings and reprimands will be filtered. It is important that prospective candidates are aware of the new filtering rules so that they only disclose what is legally required prior to obtaining full DBS certificates (See Appendix A – Nacro Criminal Record Filtering Flowchart).

The Group will consider ex-offenders for employment on their individual merits.

The enhanced Disclosure and Barring Service (DBS) certificate requested by the College will reveal all non-protected convictions and cautions recorded on the Police National Computer (PNC). Offences which are serious, relate to sexual or violent offending, or are relevant in the context of safeguarding will never be filtered and will always appear. The certificate will also show any information held on the barred lists for children and adults (when requested). The police may also provide additional information which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

#### 4. College requirements

All applicants confirm on their application form whether or not they have any non-protected convictions and cautions. If this is not received, the candidate will not be allowed to attend an interview. During the interview the recruiting manager will ensure that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. Applicants are not protected by the Rehabilitation of Offenders Act 1974 if they fail to disclose relevant information and will be warned that failure to reveal information could lead to the withdrawal of an offer of employment or the termination of employment if an appointment has already taken place.

The Human Resources (HR) department will also check to see that appointed staff and those persons that wish to volunteer to work in the College are not barred from working with children, or vulnerable adults (where applicable) by undertaking a separate barred lists check prior to staff or volunteers starting work at the College. This will include a check against the Secretary of State's Prohibition Orders for teachers where relevant to the applicant's role.

The College is nevertheless committed to promoting equality of opportunity and will accept applications from candidates with criminal records where these offences are not relevant to employment at the College. The College undertakes to comply fully with the revised DBS Code of Practice (November 2015) and does not automatically exclude applicants on the basis of convictions or other information received (unless there is a legal bar). Candidates are selected for interview and for appointment based on their overall suitability for the post, which takes into account skills, qualifications, experience and attitude to the job they have applied for.

In order to comply with statutory requirements, the HR department maintains a Single Central Record (SCR) of pre-employment checks that the College is required to carry out on staff and volunteers. It is essential that employees involved in the recruitment of staff work together to ensure that all the necessary checks are completed and recorded promptly to ensure that children and vulnerable adults are not put at risk and that the College complies fully with statutory requirements. Financial penalties and criminal action may be imposed on the College if a barred individual or someone who does not

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have the right to work in the UK is appointed to a post in the College. There are also penalties of up to five years in prison if a barred person is convicted of engaging, or attempting to engage, in work at the College.

The table in section 19 shows the pre-employment checks that must be undertaken for different groups of staff and volunteers before they start work at the College. The relevant information, and the date of the check will be entered on the SCR and a copy of relevant documents (e.g. copies of photographic ID and qualifications) will be included on the individual's personnel file.

It is the responsibility of the recruiting manager to ensure that HR are aware of all planned appointments, including hourly paid staff, agency staff, placements and volunteers in sufficient time to ensure that the correct checks are carried out and recorded on the SCR before the planned start date. Staff and volunteers who have had a 3 month+ break in service must complete all pre-employment checks as if they were a new appointment. It is the responsibility of the HR Department to ensure that the appropriate checks are carried out, and that employees are not permitted to start work with the College prior to this. Relevant guidance has been issued to all staff involved in recruitment and it is essential that they comply with the guidance. Failure to do so may have consequences for learners, the College and for the individual themselves if it can be demonstrated that he/she acted in contravention of the safer recruitment section of the safeguarding policy.

In all cases, an identity check, right to work in the UK check, qualification check, health declaration check and two written references (one of which must be the present or last employer) must be completed prior to staff commencing employment. In all but exceptional cases, the DBS certificate should also have been received prior to employment. Please see section 9 and 10 below for circumstances whereby the DBS certificate has not been issued to the employee and presented for verification. This includes clear risk assessments which are reviewed every two weeks.

**Note: Volunteers and Initial Teacher Education (ITE) students, or other learners, must not start their role/placement until all checks are complete.**

Pre-employment recruitment checks do not, however, take away the need for ongoing safeguarding awareness. Recruitment checks are only likely to identify those people that have been convicted or who have come to the attention of the police. Some individuals who are unsuitable to work with children and/or vulnerable adults will not have any previous convictions or appear on the barred lists. Ongoing awareness during the course of employment is essential, not only during the induction or probationary periods. All employees and volunteers must be aware of what is likely to constitute inappropriate conduct and their responsibilities to report it through the correct channels if they have a concern about a colleague.

A copy of the overarching College Safeguarding Policy, together with Appendix A (Child and Vulnerable Adult Protection) and Appendix P (Staff Code of Conduct) will be provided to all staff and volunteers by HR during induction. The role of the Designated Lead for Safeguarding will also be explained.

### 5. Deterring unsuitable applicants from applying or volunteering to work at the College

In order to discharge its obligations under safer recruitment requirements, the College has put in place a number of actions that will help to prevent unsuitable people applying for positions at the College. These include:

- All advertisements for posts carrying an explicit safeguarding statement

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- The College does not accept CVs. Candidates must fully complete an application form, accounting for any gaps in employment.
- The application form containing a statement stating the College's commitment to safeguarding and a requirement for the applicant to disclose all non-protected convictions, cautions and pending prosecutions prior to interview.

Conditional offers of employment subject to the College receiving satisfactory DBS certificate, Identity check and references.

### 6. Shortlisting and interviews

All interview panels must have at least one panel member who has completed training in safer recruitment training within the previous 3 year period. HR will inform managers of appropriate safer recruitment training options and issue reminders.

Application forms must be scrutinised prior to interview and any issues such as gaps in employment or contradictory information noted for shortlisted candidates for discussion at interview.

A question to identify any potential safeguarding concerns or to test an applicant's attitude towards working with children and vulnerable adults must be incorporated into all interviews and it must also be established whether the applicant has the physical and mental capacity for the role. This will assess the applicant's ability to effectively contribute towards the College's commitment to safeguarding.

At least one panel member, who must have undertaken safer recruitment training, must ensure that any non-protected convictions, cautions or potential pending offences are fully explored (either before, during or after the interview as appropriate) in order to assess suitability for appointment.

### 7. ID and right to work in the UK checks

Photo identification must be presented to HR to support the applicant's DBS application. Once identity is confirmed an endorsed dated copy of the relevant document will be taken and retained on the applicant's HR file.

Right to work in the UK checks for applicants for staff posts will be conducted in accordance with Home Office guidance. Applicants will need to provide acceptable documents in line with the guidance to establish either a permanent or temporary right to work in the UK. For example a standard UK passport that confirms British citizenship establishes a permanent right to work in the UK. Documents will be checked in the presence of the applicant and an endorsed dated copy of the relevant part/s of the document/s retained on the applicant's HR file.

Further checks will be conducted at an appropriate later date/s for individuals with a temporary right to work in the UK to ensure College employment practice adheres to legislation.

### 8. Qualification checks

All shortlisted applicants are required to provide original certificates or academic transcripts (as appropriate) prior to, or at interview to provide proof of any qualifications which are deemed 'Essential' within the Person Specification for the role. and any level 2+ qualifications in English and maths.

The recruiting manager must review, verify and make a dated endorsed copy of any 'Essential or Desirable' qualifications as required by the Person Specification – these should be scanned and sent to HR, and copies will be retained on the individual's HR file. All managers, curriculum delivery and curriculum support staff must have the qualifications deemed to be essential for their role. Any

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exceptions to this must be justified by the Recruiting Manager and recorded on the Successful Candidate Form and signed off prior to appointment.

Some support staff may also not have any relevant qualifications. Each case will be assessed with reasons for why a decision to proceed with an appointment was made noted on the interview records and Successful Candidate Form by the relevant Recruiting Manager. A qualification check is not required for volunteers.

**9. Disclosure and Barring Service (DBS) checks** DBS checks are initiated by HR, and the DBS certificate returned from the DBS to the individual. It is essential that all new applicants return their DBS certificate to HR as soon as they receive it to ensure that there are no unnecessary delays within the recruitment process. Where an offence is disclosed through the checking process, HR will liaise with the relevant line manager. If the offence has potential safeguarding implications (e.g. offences involving violence, sexual activity or drugs) HR will also inform the Group Director of HR and the College Designated Lead for Safeguarding. The offence/s will be assessed to determine whether an appointment can be confirmed.

In exceptional circumstances, the Head of Department may require a member of staff to commence in post prior to the DBS certificate being available. In these cases the following must apply:

- The DBS certificate must have been applied for
- A risk assessment must have been completed by the Head of Department prior to employment commencing and approved by the Group HR Director
- A separate barred list check has been completed
- The risk assessment will clearly state the agreed arrangements for supervision
- The DBS certificate must be received by HR within 10 working days of being dispatched by the DBS service. If this does not happen the employee will be contacted by the HR department and invited to an interview with the Group Director of HR and informed that the DBS certificate must be received by the HR Department on the next working day
- If the DBS certificate is not received within the allotted time, the employee will be informed by the Group Director of HR and his/her Head of Department that he/she will not be permitted to work in the College until the DBS certificate is received and deemed satisfactory

### 10. References

Two written references are required for all applicants. One reference should be from the current employer and the other from another appropriate person in their current or most recent post wherever possible.

Additional references may be requested at the discretion of the College.

Where an applicant is not currently working with children or vulnerable adults, but has done so in the past a reference may also be obtained from the employer by whom the person was most recently employed in relevant work.

References that appear to have been “agreed” and which may have been agreed as part of a settlement agreement with a previous employer should be fully explored prior to an appointment being made.

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### 11. Further checks for applicants who have lived or worked outside the UK

HR will carry out any additional checks it is felt to be necessary for applicants who have lived or worked outside the UK so relevant events can be considered. Home Office guidance for checks in relevant countries will be consulted and considered in each case.

HR must be satisfied that an applicant is not, and has never been, the subject of a sanction, restriction or prohibition issued by the Teaching Regulation Agency (formerly National College for Teaching and Leadership), or any predecessor or successor body, or by a regulator of the teaching profession in any other country which prevents the applicant working within the Group.

### 12. Volunteers

Occasionally people may wish to volunteer to work at the College, for example to gain work experience. Volunteers are subject to the same level of scrutiny in terms of statutory checking as employed staff as the College deems them to be in 'regulated activity' as full supervision, at all times, is not always practicable. The required checks must be completed before the voluntary work begins.

### 13. Agency staff / partner organisations

The College needs to be confident that staff employed by agencies have been subject to the appropriate checks. Managers requiring this sort of provision must ensure that HR has been informed and that the relevant confirmation of pre-employment checks has been obtained from the agency prior to the appointment date. However in all cases the agency worker must provide valid photographic evidence of identity prior to starting work.

The College also needs to assure itself that staff from organisations that legitimately require access to College learners have been subject to appropriate checks. This includes staff from partner organisations such as the NHS, social services, Youth Directions and employers of apprentices. A letter from an appropriate department within each organisation (e.g. HR) that identifies each member of staff and confirms that all appropriate checks have been completed must have been received and logged with HR by Student Services (for welfare related aspects) or the Head of the relevant department (for employers) before access is allowed.

Similarly managers may receive requests for vetting information about College staff that are engaged in activities with learners from partner organisations e.g. staff working with 14-16 learners in local schools. Any requests should be referred to HR who will provide a letter to confirm the checks which have been completed.

### 14. Visitors to the College

Accompanied visitors to the College do not require DBS checks to be undertaken, however they must register their presence at reception on site upon arrival, obtain a visitor's lanyard which must be worn at all times during their time on the College premises and be accompanied by a member of staff at all times.

### 15. Online update DBS checking service

Where an applicant has an enhanced DBS certificate that details the relevant checks covering the appropriate workforce (e.g. children and or Adult) and they subscribe to the online DBS Update Service, they must provide HR with the original DBS certificate and details of their registration with the update service.

HR will conduct a check to confirm the certificate matches the applicant's identity. Where a status check online reveals a change(s) to the certificate then the applicant must apply for a new certificate.

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### 16. Secure storage, handling use, retention and disposal of DBS information

DBS information is only used for the specific purpose for which it is requested and for which the applicant's full consent has been given. DBS information will be held on the Single Central Record which has strictly controlled access.

The College will not keep any photocopy or other image of the certificate or representation of the contents. The College will (as required by law) keep a record of the certificate unique reference number and the date of issue within the SCR.

### 17. Receiving a criminal record/conviction whilst in employment at the College

Ongoing awareness during the course of employment is vitally important in order to protect learners. As part of this the College reserves the right to request any member of staff or any volunteer to undergo repeat checks, including a DBS check, at any time.

The College also requires staff and volunteers to disclose to HR details of any criminal offences or police investigations into potential criminal offences that are acquired, or occur, during the period of employment or placement with the College. Failure to disclose this information may be deemed to be gross misconduct and lead to dismissal. HR will share the information disclosed only with those who have a need and right to know (e.g. the line manager) and the information disclosed will be discussed with the member of staff or volunteer before reaching a decision about any action to be taken.

Receiving a criminal record, or being the subject of an ongoing investigation, whilst employed or placed at the College does not automatically mean that the member of staff or volunteer cannot continue in their role. Where necessary, any action taken by the College will be in line with the relevant provisions within the College's Disciplinary policy and procedure.

### 18. Referral to other agencies

The College has a duty to refer any suspected safeguarding issues involving staff or a volunteer to the Local Authority Designated Officer for Safeguarding.

Where the College ceases to use the services of a teacher because of serious misconduct, or would have dismissed them had they not left first, the College will consider whether to refer the case to the Secretary of State, as required by the Education Act 2002. The Secretary of State may investigate the case, and may then decide to make a prohibition order in respect of the person.

The College has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or a vulnerable adult; where the individual has been removed from working (paid or unpaid) in regulated activity or would have been removed if they had not left.

### 19. Table showing the checks required for each category of staff/volunteer

Employees	Agency staff, contractors and other external workers	Volunteers (excluding governors)	Governors
<ul style="list-style-type: none"> <li>Identity (ID)</li> <li>Right to work in the UK</li> <li>TRA Check (and overseas Teacher</li> </ul>	<ul style="list-style-type: none"> <li>Identity (ID)</li> <li>Written confirmation from the external provider that all pre-employment</li> </ul>	<ul style="list-style-type: none"> <li>Identity (ID)</li> <li>Two references</li> <li>Enhanced Disclosure and Barring Service</li> </ul>	<ul style="list-style-type: none"> <li>Identity (ID)</li> <li>Enhanced Disclosure and Barring Service (refer to section 9 and 10)</li> </ul>

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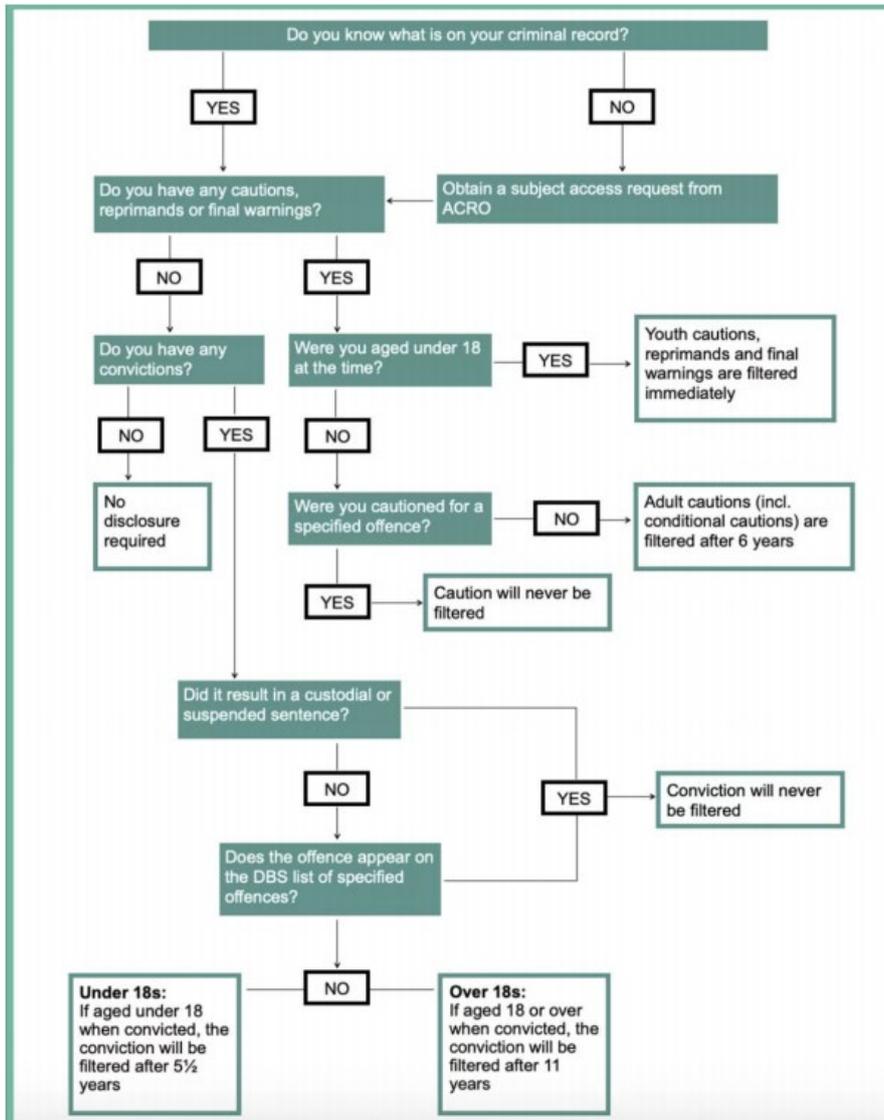
## Safeguarding (Including PREVENT) Child & Vulnerable Adult Protection Policy - 03

<p>agencies where relevant)</p> <ul style="list-style-type: none"> <li>• Qualification/s</li> <li>• Two references</li> <li>• Health declaration</li> <li>• Enhanced DBS with relevant barred lists checks (refer to section 9 and 10)</li> <li>• Section 128 check where applicable</li> <li>• Overseas criminal check (where relevant)</li> <li>• Undertake online checks (including social media) on candidates</li> </ul>	<p>checks have been completed</p>		
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Appendix A

Reference	03	Postholder Responsible For Review	Senior Leadership Team
Review Date	Sept 2023	Next Review Date	Sept 2024
Issuing Authority	Corporation & SMT	Primary Distribution	SMT / Directors / Intranet

## Safeguarding (Including PREVENT) Child & Vulnerable Adult Protection Policy - 03



Reference	03	Postholder Responsible For Review	Senior Leadership Team
Review Date	Sept 2023	Next Review Date	Sept 2024
Issuing Authority	Corporation & SMT	Primary Distribution	SMT / Directors / Intranet